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THE TERMINOLOGY OF JUSTICE AND RIGHTFULNESS AND THEIR ANTONYMS IN THE OLDEST CHANSONS DE GESTE (A GENERAL SURVEY)

A THESIS

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SYNOPSIS

The concepts of rightfulness and justice have an extremely localized and subjective interpretation in the oldest chansons de geste. In some of their aspects, they are simply delineated with sharp boundaries, while in others they present a vague and disputed appearance. The examination of various terms brings out these different characteristics. Dreit, for instance, refers to the various codes of law by which the Franks lived, modified by the effects of Christianity and a nascent feudalism. The term is applied, rather subjectively, to the Christians and their beliefs. Its antonym, tort, has a similar subjective application by the Christians to the pagans and their various nefarious activities. Its use is explained by the growing interest of the Church in political events; and by the end of the eleventh century its religious and nationalistic aspects are discernible.

The Christian knight of this era was governed by a strict ethical code which called for respect towards the Church and the weak in general. Patriotic bravery was called for on the battlefield with mesure as the guiding principle and glory the aim. The enemy are depicted as being an abhorred people ferociously attached to their

idolatry. They are treacherous, boastful and evil. However, they are still able to generate some degree of admiration from the Christians on account of their bravery and fine appearance.

On the point of justice, the judicial preoccupation of the historical and poetical Charlemagne is examined, together with the establishment of the medieval judicial system including the offices of count, seneschal, missus dominici, and the principle of judgement by one's peers. In the Chanson de Roland, however, justice resembles vengeance, a primitive form of the higher ideal. In this poem, Charles' power is less than absolute, but his efforts are aided by heavenly visions and guardian angels. Ganelon's trial is an example of medieval judicial dispensation and is used as a basis for the examination of various terms connected with justice, some of which generate disagreement among critics. The problem of treason, in its discussion, reveals the private and public aspects of a term that had a more general application in the Middle Ages than the modern term has. Three different interpretations of the term are expressed: Charlemagne sees it in the ambush planned by Ganelon; Thierri describes it as a broken vow, and Ganelon as a concealed hate. All three agree that treason is an act against the social group. To

various medieval commentators it is a crime with no exterior manifestations in its perpetrator, but running in hereditary threads.

It may be concluded that the terms examined in this paper have a connotation specific to the eleventh and twelfth centuries and grow from both Germanic and Roman sources.

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INTRODUCTION

Although the earliest chansons de geste began appearing in France more than eight hundred and fifty years ago, their examination by literary and linguistic critics is by no means complete. On the contrary, new studies are continually being published which serve rather to urge further investigation of these old epics than to terminate research. The question of Old French vocabulary has recently occupied the attention of critics with the result that works such as F.C. Riedel's Crime and Punishment in the Old French Romances, New York, 1938, K.J. Hollyman's Le Développement du Vocabulaire féodal en France pendant le Haut Moyen Age, Paris, 1957, O. Schneider's Das Feld intellektueller Begriffe und ihrer sprachlichen Wiedergabe in der Frühepik Spaniens und Frankreichs, (thesis), Frankfurt am Main, 1955 have appeared to throw further light upon the historical milieu in which the early romances and epics were placed.

The appearance in recent years of new dictionaries of Old French such as W. von Wartburg's Französisches Etymologisches Wörterbuch, Tübingen, 1948- and Tobler-Lommatzsch's Altfranzösisches Wörterbuch, Berlin and Wiesbaden, 1925- stimulate and facilitate research in this particular area of study. These two dictionaries,

whose later volumes are still only in stages of preparation, give further evidence as to the currency of Old French semantic investigation, substantiated by articles appearing in periodicals such as Romania, Zeitschrift für Romanische Philologie and Le Moyen Age.

Tolerance, a subject constantly referred to in the course of this thesis, has recently been treated by A. Castro in The Structure of Spanish History, translated by Edmund L. King, New Jersey, 1954, and C. Sánchez-Albornoz y Menduiña in España, un Enigma Histórico, (2 Vols.), Buenos Aires, 1956 as it appeared in Spain during the Middle Ages. These critics have re-examined available evidence and presented new theories upon coexistence in mediaeval Spain, with the result that the question is extremely topical. H. Daniel-Rops', Cathedral and Crusade, London and New York, 1957, the third of an eight volume series, throws further light upon mediaeval religion. It is hoped that this thesis may contribute in some measure to this type of modern research.

The study that follows has been composed with reference, among others, to the above quoted works. For this reason, we may not consider this investigation to be research in the strict sense of the word. However, no broad work exists based on the vocabulary contained in the oldest chansons de geste. This study, dealing with only one

however important aspect of that vocabulary, is the first draft of an attempt to help fill the gap. The works of Riedel and Hollyman quoted above facilitate the understanding of the roman courtois. It is similarly hoped that a study like this may help in the understanding of the notions of right and wrong in the oldest chansons de geste.

This study is an assembly of linguistic, historical and literary evidence connected with the concept of justice and rightfulness and their antonyms as far as material at the Rutherford Library of the University of Alberta, Edmonton makes it possible. All accessible dictionaries, encyclopedias, texts, and monographs on the topic at this library have been examined to obtain a survey of the terminology concerned, placed in its literary and historical background. This has meant an enquiry into the history of both France and Spain as far as they have affected the composition of the oldest epics.

Three poems are generally accepted as being the oldest and most important in Old French literature. The Chanson de Roland belongs to the period of the first French Crusades into Spain at the close of the eleventh century. Its composition took place near the turn of the century, the actual year being a topic for hypothesization. The poem recounts the defeat of Charlemagne's rearguard in

the Valley of Roncevaux and the king's subsequent retaliation. Shortly after its composition in Old French, the poem was translated into other European languages, to entertain German audiences as the Rolandslied by Pfaffe (Priest) Konrad, and Italian audiences as a work still extant in the Venice (4) manuscript, and many other versions.

The Chanson de Guillaume belongs to the last third of the twelfth century, and is of a type similar to the models used for the German poem Willehalm by Wolfram von Eschenbach. The Old French version has the appearance of two separate works put together to form a more or less continuous narrative. It relates the activities of Guillaume d'Orange (the historical William of Toulouse), depicted as one of the poetic vassals of Charlemagne and his successor Louis le Pieux. The two parts respectively relate the adventures of Vivien and Rainouart, two bold defenders of the Christian faith, at Archamp. Aliscans is generally supposed to be an attempt to retell the adventures recounted in the latter part of the Chanson de Guillaume in a longer form. Consequently, it is more recent.

The question of justice and rightfulness and their antonyms is an extremely important one in these three ancient poems. A knowledge of their subjective signifi-

cance is essential for a complete understanding of these epics. The usual dictionary definition of terms of rightfulness as used in these epics fails, very often, to give their full connotation. A knowledge of the linguistic and historical background - particularly the religious and judicial situation - is required. This study attempts to fulfil such a basic requisite within the aforementioned limits.

CHAPTER I

DREIT

The Chanson de Roland contains features that relate to the oldest traditions of the Germanic peoples that link up with Roman and early Christian principles, and more specific attitudes that relate to the French Crusades in Spain of the eleventh century. To these are added the Norman concepts of the author of the Oxford manuscript. A word that illustrates these various facets is dreit which may be roughly translated as "le droit",[1] "Recht, Gesetz"[2], and "the right"[3]. Wartburg defines the word more closely: "Recht...pouvoir d'exiger ce qui vous est dû; ensemble de lois écrites... qui est du côté où se trouve le foie."[4]. Other authorities give "Jus quod quivis in re aliqua habet, quod sibi competit in suis bonis, reditus, praestatio...droit que quelqu'un a sur quelque chose. --Actio qua quis rem contra

1 J. Bédier, La Chanson de Roland, Paris, 1931, page 105.

2 Tobler-Lommatzsch, Altfranzösisches Wörterbuch, Band II, Berlin, 1925, col. 2068.

3 T.A. Jenkins, La Chanson de Roland, Chicago, 1923, page 314.

4 W. von Wartburg, Französisches Etymologisches Wörterbuch, Band III, Tübingen, 1949, page 89.

5 Dominus du Cange, Glossarium Mediae et Infimae Latinitatis, II, Paris, 1842, page 866.

jus ablatam repetit; action judiciaire par laquelle on réclame une chose dont on a été injustement dépouillé."[1] The term is also found, among other texts, in the Chanson de Guillaume, but here it is used less extensively. Let us examine the term in its various contexts.

When Charlemagne sends Ganelon to the camp of Marsilius to discuss surrender terms, the treacherous envoy plots with the pagan king the downfall of Roland instead:

La purparolent la traïsun seinz dreit (511).[2]

In this context we find the word dreit used as a comment upon an activity, treason, which existed long before Christianity among the Roman and German peoples -- although this particular act of treason took place in the year 778. Jenkins translates the phrase seinz dreit as "wicked"[3]. Bédier translates the line: "Là ils débattent la laide trahision"[4]. Without going into the concept of

1 W.-H. Maigne d'Arnis, Lexicon Manuale ad Scriptores Mediae et Infimae Latinitatis, Paris, 1890, page 729.

2 All quotations from the Chanson de Roland are taken from the Oxford version edited by Raoul Mortier, Paris, 1940, unless otherwise stated.

3 T.A. Jenkins, op. cit. page 314.

4 J. Bédier, op. cit. page 45.

treason too deeply at this point, we may note that such a crime is considered the highest crime known to a people, since it is directed against the safety of a sovereign state or its head, and laws punishing treason are essential to the state's existence. It may, therefore, be stated with assurance that as soon as any codification of laws took place among the German peoples, mention was made of treason, and when the interests of the group as a whole clashed with those of the individual, rights the idividual may have had become immediately subordinated to those of the state.

In the Frankish kingdom, individuals were governed by individual rights, and as Charlemagne extended the boundaries of his power the diversity of individual rights increased. The conquerer was no codifier of laws as were Justinian and Napoleon; it was not his object to convert all the nationalities under his domination into Ripuarian Franks. He was quite willing to allow men to keep their own rights, customs and laws intact provided that such rights, &c., did not interfere with the workings of Charles's central government. Thus the system of personal law extended throughout the Empire. Every man according to his nationality, or even his profession followed his own code and exercised his own "freedom within the law",

to use a modern term, law here meaning Charlemagne's administrative law. Furthermore, each man might always claim to be judged secundum legem patriae suae. Thus, according to an often quoted passage,

> So great was the diversity of laws that you would often meet with it, not only in countries or cities, but even in single houses. For it would often happen that five men would be sitting or walking together, not one of whom would have the same law with any other.[1]

On this diversity of rights, Eginhard comments in Vita Karolis.

> (29) After his assumption of the imperial title, as he perceived that many things were lacking in the laws of his people (for the Franks have two systems of law [private and public], in many places very diverse from one another), he thought to add those things which were wanting, to reconcile discrepancies, and to correct what was bad and ill-expressed. But of all this nought was accomplished by him, save that he added a few chapters, and those imperfect ones to the laws [of the Salians, Ripuarians, and Bavarians]. All the legal customs, however, that were not already written, of the various nations under his dominion, he caused to be written down and committed to writing.[2]

From this we can see that Charles aimed at nothing more than the correcting of mistakes, the making of

1 Thomas Hodgkin, D.C.L., Charles the Great, London, 1908. p,240.

2 A.J. Grant, Early Lives of Charlemagne by Eginhard and the Monk of St. Gall. London, 1926, para. 29.

obviously necessary additions, and the resolving of clashes in the various codes of law, none of which were, however, successfully completed, in Eginhard's opinion. Thus Charles never tried bringing all the various laws, personal and otherwise, into one alignment.

Hence, dreit in our present context, refers to that of the individual and/or to a law common to all Carolingian codes. But since no individual possessed the "right" of treason it is condemned in the laws of most peoples. For this reason Ganelon is put to death after he has been judged guilty at Thierri's victory:

> Hom ki traist altre, nen est dreiz qu'il s'en vant! (3974)

In another context we find mention of this old sense of right, this time the right of the group. Before the battle with the French, Baligant calls his son and his two kings before him and gives them instructions as to the order of battle. Then he adds a final comment:

> "Li emperere, s'il se cunbat od me,
> Desur le buc la teste perdre en deit.
> Trestut seit fiz, n'i avrat altre dreit."(3288-90)

-"If the emperor fights me, he will die...He knows he has no other right." Bédier translates the last line:[1] "Il ne lui sera fait, qu'il le sache bien! nul autre droit."

1 J. Bédier, op. cit. p. 273.

Jenkins, on the other hand, translates <u>aveir dreit</u> in this line as "to obtain justice".[1] Both these interpretations may be made to mean more or less the same.

Here we have a principle which may be well applied to the beliefs of the then warlike crusaders in Spain: not only the idea of might is right, but more particularly, the desire to reconquer Christian territory. Be it a question of one army against the other, or one king against the other, the Saracens also believe that they have the right to emerge victorious. Their army --

> Chevalers unt a merveillus esforz:
> En la menur .L. milie en out (3218-19)

and their new leader,

> L'emir ben ressemblet barun.
> ..E en bataille est fiers e orgoillus (3172;3175),

are certainly the equal of the Christians. We may thus bring together the above mentioned translations of the two scholars by refering to the old concept of might being right, or rephrasing it to have the more modern meaning of justice through conquest, since right and justice belong to the faction with the more power, meaning physical strength or divine moral force.

In the scene that follows the route or Marsilius' army by Charlemagne and the arrival of Baligant in Spain,

1 T.A. Jenkins, op. cit. p. 314.

we find another example of this ancient "right". Marsilius feels that death is approaching and begins to think of a successor. Roland has killed his son; and he has no direct living heir, but he nevertheless claims the right to name his successor:

> Li amirailz at en Espagne dreit,
> Quite li claim se il la voelt aveir, (2747-8).

There may be other reasons for his naming Baligant: Baligant is best able among the Arabs to maintain this right; Baligant would probably claim this right whether it is offered to him or not; the offer is an encouragement for him to support the "pagan faith" in Spain against the Christians.

Bédier translates this first line: "L'émir a droit sur la terre d'Espagne";[1] and Jenkins translates this phrase <u>aveir dreit</u> as "to have legal claim".[2] In Bédier's rendition, Baligant's right probably lies in his superior strength, but the right may also originate from the same source that Jenkins offers -- a legal source, since the emir is being nominated to the position by Marsilius.

<u>Dreit</u> has already been mentioned as having the meaning of <u>justice</u> (l.3290) in the sense of might being right. In the case of the judicial duel we see the same concept

1 J. Bédier, op. cit. p. 229.

2 T.A. Jenkins, op. cit. p. 314.

but with an added divine point of view. In this case, God is called upon as judge of right. In the duel between Pinabel and Thierri, the poet places great emphasis upon the rôle of the divinity in deciding the right. At the beginning of the trial, Ganelon is dragged before the king (3749), who addresses his barons:

"De Guenelon car me jugiez le dreit..." (3751),

"Jugez-moi Ganelon selon le droit" translates Bédier.[1] Dreit here refers to the Carolingian codes which demanded the execution of traitors. The king states his interpretation of the betrayal and is followed by Ganelon who believes in the legitimacy of his act. The judges consider the case and, either through fear of Pinabel, Ganelon's champion, or because they judge the plaintiff innocent, recommend that Ganelon be freed. Thierri, however is of a different opinion, judging the plaintiff to be guilty, and champions Roland's cause. As a result of this impasse, the verdict is taken from the hands of the judges and is left to God to decide. Three consecutive laisses (CCLXXIX, CCLXXX, CCLXXXI) culminate with this divine supremacy:

Deus set asez coment la fins en iert! (3872)
. . . . . .
"E! Deus," dist Charles, "lo dreit en esclargiez!" (3891)
. . . . . .

1 J.Bédier, op. cit..p, 311.

"Deus facet hui entre nos dous le dreit!" (3898) Jenkins translates esclargiez as "make clear"[1] and Bédier writes "faites resplendir le droit."[2] In the last two lines we see a fusion of two rights -- the ancient Frankish right, upheld by force of arms, and the right of Christianity, upheld by divine intervention. When Pinabel proposes a pact to end the duel (3892), Thierri rejects it (3896), saying that agreement is impossible and that the decision rests with God. "Que Dieu montre le droit" says Bédier,[3] "Let God decide justly" (faire dreit -- "to decide justly") writes Jenkins.[4]

Physically, the two combattants are ill-matched. Pinabel is powerful and agile:

> Granz est e forz e vassals ed isnels,
> Qu'il fiert a colp, de son tens n'i at mais! (3840).

His imposing appearance before the king makes other barons hesitant in accepting his challenge. Thierri, however, fears him not, although he is physically inferior:

> Heingre out le cors e graisle ed eschewit, (3820)

During the course of the duel, we are again confronted with Pinabel's imposing appearance and ability, this time from the lips of his adversary:

> Pinabels, molt ies ber,
> Granz ies e forz e tis bien modlez,
> De vasselage te conoissent ti per (3901).

But, in spite of the odds in Pinabel's favour, God protects

1 T. A. Jenkins, op. cit. p. 321.

2 J. Bédier, op. cit. p. 323.

Thierri:

Deus lo guarit que mort nel acraventet! (3923)

and demonstrates Ganelon's guilt by making Thierri, the smaller duelist, victor. In his victory the Franks see God's judgement:

Escrident Franc: "Deus i at fait vertut!
Asez est dreit que Guenes seit penduz (3932).

Here, we might draw attention to the word vertut.[1] Jenkins and Whitehead[2] translate it as "miracle" in the lines 2096, 2458, and 2716; and it might well have this meaning here. Such a victory accomplished by a young and inexperienced[3] and physically weaker man might well appear miraculous to the Frankish onlookers. It is miraculous because God has brought victory to the good cause through Thierri and thus reestablished right (the balance of justice) in the Carolingian Empire (that is why Thierri insists on the trial).

From these details, we see the divine nature of

1 Which is given here an enlarged sense (the original being "vis, violentia," Maigne d'Arnis, op.cit.col.2308).

2 T.A. Jenkins, op. cit. p. 377. F. Whitehead, La Chanson de Roland, Oxford, 1946, p.165.

3 Line 3811. See Jenkins' comment, op. cit. P. 266, on Tavernier's interpretation in Zeitschrift für romanische Philologie XXXVIII, 1914, p. 703ff. His experience may be disputed, however. See Richthofen, Veltro und Diana, Tübingen, 1956, page 29f.

the judicial duel. The two knights are fully prepared for the judgement with the blessing of the Church before the start of the duel, (3859-61); confession is mentioned in the Chanson de Roland and elaborated upon in Doon de Maïence:

> Un prestre devant li a tantost apele;
> Mene l'a une port eus u vergier rame;
> Devant li a genous es vous Doon gete
> Et de tous ses peches bonnement confesse.
> Il a en penitanche au prestre demande.[1]

Leon Gautier comments:

> Quand le champion allait entrer en lice, on célébrait en effet la messe de la Résurrection, ou celle de saint Etienne ou celle de la Trinité. Puis l'on chantait devant lui le Symbole de Saint Athanase.[2]

At the end of such a mass, the twelfth century knight would recite the Lord's Prayer in its Old French version:

> Notre pere qui es es celx,
> Ki de nos toz le salu velx,
> Li tiens Nons soit seintefiez,
> En nos loez et essauciez.
> Ton regne nos fai advenir,
> Si k'a toi puissons parvenir.
> Ta volentez soit faite en terre
> Si come en ciel.
> T'amor aquerre
> Nos fai, si com aquise l'ont
> Li Angle qui ton pleisir font.
> Et de chascun jor nostre pain
> Nos donez hui que n'aions fein,

1 Doon de Maïence edited by A. Pey, (Anciens Poètes de la France), Paris, 1859. v. 6794ff.

2 Léon Gautier, La Chevalerie, Paris, Delhomme et Briguet, 1883. page 43.

A l'amme le seint Sacrement
Et au cors le sostenement.
Et se nos pardonez nos detes,
Le corpes que nos avons fetes,
Si com nos a nos manfeiteurs
Pardonons et a nos deteurs.
Ne soffrez qu'en tentation
De male cogitation
Soions mene, mais a delivre,
Sire, de toz maus nos delivre.
Amen disons, que Diex l'atroit,
Cil qui tot ot et qui tot voit.[1]

In this way the knight is prepared with all possible solemnity for God's judgement; and when it has been made, all accept the verdict without question. Thus we find dreit in the Chanson de Roland (v. 3898) being a divine judgement.

In other lines we see a further development in the meaning of rightfulness. Here, too, less emphasis is placed upon physical might and perhaps more significance is given to the religious aspect : the Christian has a natural God-given right over the pagan. This sentiment is the general assumption throughout most of the Chansons de geste:

"Paien unt tort e chrestïens unt dreit" (1015)

says Roland before Roncevaux. The Christians "are in the right" say Jenkins[2] and Whitehead,[3] while Bédier

1 Léon Gautier, op.cit. p, 545, (Note) quoted from P. Meyer in the Bulletin de la Société des anciens textes, taken from Bibl. Nat., Lat. 3799, f 1, XIIe S.

2 T.A. Jenkins, op.cit. p.314.

3 F. Whitehead, op.cit.p.141.

writes: "Le tort est aux païens, aux chretiens le droit."[1]

The idea summed up in the above line dominates the oldest chanson de geste: the struggle of Christian Europe under the hegemony of France, against the Saracens. F. Funck-Brentano lists the following three facts which contributed to this idea:

1. The memory left of the Saracen invasions of the S.E. of France in the ninth century.

2. The struggles maintained from the mid tenth century and throughout the eleventh century against the Saracens of Spain, in which a great number of French barons took part.

3. The Crusades which began at the end of the eleventh century just before the appearance of our chansons de geste.[2]

During the battles fought in the Chanson de Roland, Chanson de Guillaume and Aliscans, the Christian cause is supported by jongleur and listener because the knights are fighting for Christianity and thus have God's right on their side.

This concept of a "Holy War", however, is somewhat out of keeping with the French attitude towards the Arabs of Spain in the ninth century. Two French monks Usard and Odilard, travelled to Cordova in 858

1 J. Bédier, op. cit. p. 87.

2 F. Funck-Brentano, The Middle Ages, Ch. III. London, 1930.

and were unable to understand the inflamed preachings of the Mozarabic writer, Eulogius, who wanted the pope to unite Christendom under the warrior's banner to repel the foreigners from Spanish soil. Castro mentions Eulogius' book, Memoriale Sanctorum, composed in 851, where the author offers remission of sins to those who die as martyrs fighting the infidel. Believers were commanded to attack the enemies of God instead of maintaining the apathetic attitude shown by the popes -- pastoribus Christi.[1] However, some years earlier, Charlemagne showed a similar attitude towards the infidels occupying Christian territory in a letter delivered to Pope Leo III by Charles' chaplain Angilbert in 796, four years before Charles became emperor, on the receipt of the keys of St. Peter's tomb and the banners of the city of Rome. But his view of the pope's function was somewhat modified.

> "It is ours (duty) with the help of the divine piety externally to defend the Holy Church of Christ by arms from all pagan inroads and infidel devastation, and internally to fortify it by the recognition of the Catholic faith. It is yours, most Holy Father, with hands raised to God like Moses to help our warfare; that by your intercession the Christian people may everywhere have the victory over its enemies, and the name of our Lord Jesus Christ may be magni-

1 Americo Castro, The Structure of Spanish History transl. Edmund L. King. Princeton, N.J. 1954 p. 290.

fied throughout the whole world."[1]

Charles thus hoped to combine the physical strength of his troops with the moral backing of the pope to expel the unbelievers from Christian territory, at the same time gaining holy sanction -- and not opposition as might more logically be expected -- for his incessant wars. However, we have to wait until the eleventh century before we find the Church, led by the Cluniacs in this case, adopting Eulogius' idea of a Crusade as reflected in the chansons de geste.

This spirit of reconquest among the Christians may be looked upon as an atonement, their being abandoned by the rest of Europe. Castro thinks rather that it is "a simple reflection of Islamic ideas and emotions"[2], and points to Eulogius as a proof.

The religious aspect of the Frenchman-Moor struggle began with the Santiago-Mohamed opposition of the ninth century, and was prolonged in the doctrine of the Holy War. The Koran urged the faithful to resist those of different faith (IV, 97-99). Here, God promised great reward, pardon and mercy, to those who fought zealously, showing preference over those who did not fight: which philosophy was later taken over by the

1 Thomas Hodgkin D.C.L. Charles the Great.London, 1909, p. 184.

2 A. Castro, op. cit., page 220.

Christians.[1]

The early Christian era saw conflict similar to that which existed after the ninth century. But during the Carolingian era tolerance was widespread. Menéndez Pidal remarks that the religiosity of the Middle Ages loses "a certain racial intolerance which it displays early in the Christian-barbarian epoch."[2] The attitude towards Jews in Spain may be cited as an example here. Between the savage Visigothic laws of the Fuero Juzgo against the Jews of the seventh century and Alphonse the Learned's rather mild laws relating to them, there are five hundred years of Islam.

The Koran may be referred to as the Moor's authority for toleration:

> Fight against them [unbelievers] until there be no more civil discord, and the only worship be that of God: but if they desist, then let there be no hostility save against the wicked. (II,189)
>
> Let there be no compulsion in religion. Now is the right way made distinct from error. (II,257)
>
> But if thy Lord had pleased, verily all who are in the earth would have believed together. What? wilt thou compel men to

1 A. Castro, op.cit. page 219. For a different interpretation see C. Sánchez-Albornez y Menduiña, España, un Enigma Histórico, Vol. I, Buenos Aires, 1956, pages 289-291, and page 301f.

2 R. Menendez Pidal, La España del Cid, vol. II, Madrid, 5th edition, 1956, page 675.

> become believers? No soul can believe
> but by the permission of God. (X. 99-100)

The Koran could thus be considered a pillar of tolerance to begin with, since it fused the Islamic beliefs with those of Judaism and Christianity. Thus the existence of Spanish Christians (Mozarabes) went on within the horizon of tolerance traced by Islam. The wandering Muslem was accustomed to finding differing religious groups existing harmoniously together. The city of Cordova witnessed Jews (and Slavic slaves from Venice) intermingling with Christians. The appearance of the Moors caused little change in the situation of religion; and until the end of the eleventh century, those who did not disturb the Saracen peace were allowed to enjoy their own religion in the Saracen controlled cities, with apparently only isolated instances of violence. Ibn Hazm, a Moslem writer of the eleventh century defended this universal religion:

> ...there must be amongst all the religions one that is authentic, but it has not yet manifested itself clearly and evidently to anyone, and therefore God has imposed on no-one the obligation to profess it.[1]

and the Spanish Jew Ibn Paquda wrote:

> The rabbis say that whoever utters a wise

1 Ibn Hazm, Critical History of Religion, quoted by Asin Palacios, 1871-1944, El Islam Cristianizado, Madrid, 1946, p.302.

> word, even if he belongs to the Gentiles is called a sage.[1]

For almost four hundred years the Christians and Jews had ample opportunity to observe and practice the Islamic ways of tolerance.

This Moorish spirit of tolerance is even reflected in the writings of later Spanish authors quoted by Castro. Alphonse the Learned reapplied the Koran doctrine to the Christian situation:

> By good words and appropriate preaching should the Christians seek to convert the Moors and make them believe our faith not by force or through rewards,[2]

while Raymond Lully (d. 1315) wrote his Libro del gentil y los tres sabios in Arabic rather than in his own Castilian.[3]

However, the Cluniacs visiting Compostel had already changed this idealistic situation in the ninth century and advocated Moorish expulsion. Inside Spain, on the other hand, tolerance continued. The peninsula of the twelfth century was considered an aggregate of believers, different in faith, yet living together,

1 Ibn Paquda, Duties of the Heart, edited by M. Hyamson, New York, 1925, p.16.

2 The desire to convert is still present but not the desire to convert at all costs.

3 Américo Castro, op.cit., page 223.

because this is the way things had been for the extent of living memory. By the end of the fourteenth century the situation was changing. The power of the Christians was increasing, and the Moslem rulers were no longer inspiring fear and admiration. The masses of the people began subjecting the Jews to a relentless persecution. Christian strength ended toleration. Juan Manuel, nephew of Alphonse the Learned, looked upon the Moors as a political rival to be exterminated.

> There is war between the Christians and the Moors, or there will be, until the Christians have got back the lands which the Moors took from them by force; for neither because of the law nor because of the sect they hold to, would there be war between them; for Jesus Christ never commanded us to kill or to reward people in order that they should embrace his law; for he has no desire for forced service but only for that which is done readily and freely.[1]

While toleration flourished in Spain in the tenth and eleventh centuries, a different sentiment existed in France during the same period. In harmony with Charlemagne's epistle to Pope Leo III quoted above (Nostrum est...vestrum est...[2]), we find a phrase

1 Juan Manuel, Libro de los Estados, p.294, quoted by A. Castro, op. cit. P.221.

2 See interpretation and comment by Henri Pirenne, Mahomet et Charlemagne, Paris, 1937, p.207.

in Guibert de Nogent's (died 1121) history of the Crusades which has a profound historical meaning: Gesta Dei per Francos. The concept contained in these words is that the Frenchman of this era considered himself a delegate of God with the obligation of establishing His kingdom throughout western Europe. Looking into the past, the French found their countryman, the Emperor Charlemagne, and resurrected him to help them in their divine purpose. Gaston Paris writes:

> Charlemagne devenait de plus en plus le symbole de la puissance unie au service de la religion.[1]

The humanism of N. France had the idea that man could be the instrument of divine intentions to further the earthly interests of God and his subjects. Charlemagne was the ideal leader. He was called "Caput orbis, episcopus episcoporum, rex, rector et decus Ecclesiae"[2]. Thus, although the historical Charles had little divine purpose in invading Spain,[3]

1 Gaston Paris, Histoire Poétique de Charlemagne, Paris, 1865, p.54.

2 See L. Olschki, Der ideale Mittelpunkt Frankreichs im Mittelalter, Heidelberg, 1913, ch. I, for discussion of this title.

3 "Charles was asked to enter Spain by a son of Yussuf-el-Fekri and Ibn-el-Arabi to help them against Abderrahman, supreme ruler in Spain. They promised the

the emperor of the Chanson de Roland leads his people in the supreme task of realizing the kingdom of God in history.

Thus the attitude of Charles and his knights as revealed in the Chanson de Roland, and of Guillaume and his host in the Chanson de Guillaume and Aliscans belong to France of the eleventh and twelfth centuries rather than of the eighth century at the time of the battle of Roncevaux. The Christians have the dreit of God on their side, while the pagans represent the forces of evil and thus become tort.

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surrender of several cities...The question of rival faiths, though of course it must have been present in Charles' mind, does not seem to have been the determining motive to this expedition as it was to the Saxon war. There is no foundation for the suggestion of some later chroniclers that he was moved to the enterprise by pity for the groans of the Spanish Christians under Saracen oppression. In fact, the situation of the Christians under Adderrahman seems to have been a very tolerable one."
Thomas Hodgkin D.C.L. Charles the Great, London, 1908, p,141-144. See also W.A. Nitze, Bull. Bibl. de la Société Internationale Arthurienne, No.5, 1953, page 73. A reflexion of this attitude of Charles is to be found in the legend of Bernardo del Carpio, who considered Charles to be an intruder in Spain and therefore killed Roland.

In spite of the fact that the French Christians believed themselves to be doing God's will in their attacks upon the Moors, one cannot help but question their attempt to interfere in the internal situation in a foreign country in order to destroy a near idealistic state of affairs in which Jew, Mohammedan and Christian lived together with as much peace as eleventh century life would allow. The action of the French becomes more regrettable when one considers the irresponsibile waste of human lives that must have taken place in the course of their idealistic battles.[1] They did it, however, mainly because they were threatened by Arab invasions -- which actually occur in the Chanson de Guillaume.

Even as late as the mid fourteenth century, we find evidence of Castilian tolerance. Castro quotes a portion of the Chronicle of Alphonse XI (Chapter 18)

1 Léon Gautier, writing at the close of the nineteenth century voices a similar complaint in the name of humanism on the topic of Christian massacres during the early period of the Crusades: "...mes entrailles s'emeuvent et mon coeur se révolte...je ne puis supporter l'image...je déteste jusque dans mes moelles, cette abominable optation que les chrétiens proposent si souvent dans nos vieux poèmes aux Sarrasins: "Ou le baptême ou la tête coupée." Il y a vingt ans que j'ai, pour la première fois, protesté contre ces ininfamies: je proteste aujourd'hui plus vivement que jamais. Léon Gautier, op.cit. La Vie du Chevalier. p, 751.

narrating the invasion of Granada by two jealous brothers, Don Juan and Don Pedro, who were totally defeated:

> And of all things done by Prince Peter, men find none to bring up against him save this one only: that he had broken the peace that he had set up with the king of Granada, and his world; and he broke the faith and loyalty which God has established among the community of men. And so men suspect that this was the cause for which the prince was killed, as you shall later hear.[1]

Here the writer makes the Christian God and the Moorish God into a common God. Men of the two faiths consequently become equal; and Peter is condemned as a result of a divine judgement. Much later, in the eighteenth century, we find a similar sentiment of God as the supreme arbiter expressed in Lessing's Nathan der Weise, where the Christian crusader (this time in the Holy Land) is depicted as possessing a smaller quantity of the "true religion" of brotherly love than either Saracen or Jew. This judgement, it seems, may be equally applicable to the Christian in Spain at the close of the Middle Ages.

The notion of Christian right is a constant theme throughout the Chanson de Roland. As the battle at Roncevaux begins we are again reminded:

1 Americo Castro, op.cit., p, 672.

Nos avum dreit, mais cist glutun unt tort (1212). Bédier translates: "Le droit est devers nous, et sur ces felons le tort."[1] But in spite of the fact that the French here believe they have the Christian right on their side, they are defeated by the numerically superior infidels. Not so in the duel between Charles and Baligant, the supreme representatives of the rival faiths. Charles, although "aged over two hundred years" (539), is supported, protected and assisted by God, and consequently emerges from the combat victorious:

> Li amirals alques s'en aperceit
> Que il ad tort e Carlemagnes dreit. (3553-4)

which Bédier translates, "Alors l'émir commence a entrevoir qu'il a tort et que Charles a droit."[2] This final combat symbolises the eventual supremacy of Christian <u>dreit</u> over all other beliefs.

Contingent upon this Christian doctrine of <u>dreit</u> is the concept of the term as contained in the phrase <u>Dreiz emperere</u> which is applied to Charlemagne on several occasions:

> "Dreiz emperere, veiz me ci en present:
> Ademplir voeill vostre comandement." (308-9)

1 J. Bédier, op.cit., p,105.

2 Joseph Bédier, op.cit. p,295. This aspect constitutes one of the main differences between the <u>Chanson de Roland</u> and the Spanish <u>Poem of the Cid</u> (written about 1160), where the religious question is not over-emphasized. A further difference is found in the judicial inquiry at the end of the poem where the aim is more exclusive-

"Droit empereur, me voici devant vous; je veux accomplir votre commandement"[1], says Ganelon to Charles as he accepts the mission to Marsilius.

"Dreiz emperere" dist Rolland le barun,
Dunez mei l'arc que vos tenez el poign." (766-7).

"Droit empereur", dit Roland le baron, "Donnez-moi l'arc que vous tenez au poing."[2] These words are spoken as Roland accepts command of the rearguard.

"Dreiz emperere, cher sire, si ferom." (2441).

"Droit empereur, cher seigneur, ainsi ferons-nous!"[3], says Naimes as he advises his lord to leave the bodies of the French troops on the battlefield and pursue the enemy before they escape. Tobler-Lommatzsch translates <u>dreiz</u> as "rechtmässig"[4], and Jenkins as "legitimate, lawful"[5]. The second of these terms, "lawful", could refer to the justice of Charlemagne and to the equity with which he dispensed it, or, more probably, it couldalso have the sense of "legitimate", which itself has two

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ly an attempt to satisfy honour and to reestablish feudal-, justice.

1 Ibid. p.29.

2 Ibid. p.67.

3 Ibid. p.205.

4 Tobler-Lommatzsch, op.cit. Band II, <u>droit</u>, col. 2068.

5 T.A. Jenkins, op.cit. p.314.

connotations: legitimate in the sense of lawful heir to the Frankish throne as eldest son of King Pepin, his predecessor, or/and legitimate in the sense of "divine king" or "king by divine right". Since in all three contexts quoted above the term dreit is used with the noun emperere -- head of the Christian empire -- we would be inclined to give this term the meaning of emperor by human and divine right.

The ancient world bequeathed to posterity not only the idea of a world monarchy but also the idea of a world religion. The Roman Empire had developed a co-ordinate religious organization in the Roman Church, and this religious counterpart, continuing after the secular empire crumbled, became a most important factor in the formation of the new Teutonic-Latin civilization. The Roman Pope, the chief representative of the old imperial power in Italy, played a prominent role in the public affairs of western Europe. It was only natural that as a new western empire arose on a Teutonic-Latin foundation, it should seek a firm alliance with the Pope of Rome. The Church was a divine institution, but it was also believed that the Empire was eternal -- that it would exist by divine decree until the end of time. The Empire and Papacy were regarded as the two arms of

God in governing the world. God had set the Emperor over the temporal affairs of the world and the Pope over its spiritual interests. A harmonious co-operation of the two great world rulers was necessary so that each in his own sphere could promote the kingdom of God on Earth.[1]

When the kingdom of the Ostrogoths (493-554) fell, the Emperor of the East became ruler of Italy and the ex officio Lord Protector of the Church. But he was too weak to defend the western Church against her enemies. Hence the popes of Rome began to look towards the Franks for the defence of their western Empire. In 585, the pious king Gontran invoked the name of God to support his decisions, from whom, he emphasized, he held the power to reign.[2] This is in keeping with the book of Proverbs in the Old Testament:

> By me kings reign, and princes decree justice.
> By me princes rule, and nobles, even all the judges of the earth.[3]

This is also the thought of Saint Paul:

1 An idea later expressed by Dante in De Monarchia.

2 ...facultas regnandi...Capitularia regnum Francorum, publ. by A. Boretius and V. Krause. Hanover, 1883-1897, t.1. No5, p.11.

3 Proverbs, VIII, 15-16.

> Let every soul be subject unto the high powers. For there is no power but of God (non est enim potestas nisi a Deo): the powers that be are ordained of God.
>
> Whosoever therefore resisteth the power, resisteth the ordinance of God: and they that resist shall receive to themselves damnation.[1]

It is in this very general sense that Gontran tried to make his power originate from God. The doctrine became more specific with later kings.

When Charles Martell (714-741) saviour of Christian civilization in western Europe died, his son Pepin II "The Short" (741-768) set aside the Merovingian dynasty and assumed the name of king with the sanction of the pope. Earlier in that year (751) he had sent an embassy to Pope Zacharias to consult on the subject of the king who ruled France without authority. The pope apparently replied, "It is better to call him king who wields the power, than him who is deprived of it."[2] Then Pepin proclaimed himself king at Soissons. He introduced a religious element into the previously exclusively military ceremony,

1 Romans, XIII, 1-2.

2 This is a disputed reply. See F. Funck-Brentano, The Earliest Times, translated by E.F. Buckley, London, 1927, p. 315.

thus setting himself above the princes whom he was replacing. Two years later, Pope Stephen II repeated the coronation in France saying:

> Let no man in the future dare to choose a king from outside this family which has been raised by divine piety and consecrated by the intercession of the Holy Apostles.[1]

An attempt was made to equate the king with the Old Testament kings, Saul, David, and Solomon. In accordance with God's ordinance, the priest Samuel poured holy oil upon the heads of Saul[2] and David[3]. Similarly, Saint Boniface and later the pope poured holy oil upon the heads of Pepin and later his sons. Hence the Carolingian was able to say to God, as Solomon did, "Tu elegisti me regem"[4], and that as with David and Saul, the spirit of the Lord was in him.[5]

Pepin II was quick to return papal favour by defending the pope against the Lombards. The lands regained in this war were donated to the pope by

1 Ibid. p.317.

2 I. Samuel X,1.

3 I. Samuel XVI,13.

4 Liber Sapientiae, IX,7, Bibla Sacra, Rome, 1927, p.752.

5 I. Samuel X,6, and XVI,14.

Pepin II in 756, a very significant event, because the pope became a temporal sovereign over territory that formerly had belonged to the Byzantian Empire. The connections between Rome and Byzantium were henceforth broken and Rome belonged definitely to the western world. This endowment laid the foundation for the Church state and the temporal sovereignty of the popes, and this in turn formed the material background for the development of papacy during the Middle Ages. Papacy placed itself under the protection of the Frankish state and acknowledged the Frankish king as head of the Frankish Church. After Charlemagne had destroyed the kingdom of the Lombards and had enlarged Pepin's gifts to the pope to include the entire Exarchate (a province under the Byzantium Empire), it was decided that the pope, as the Duke of Rome, (and of the Church State) was to be the vassal of the Frankish king.

The crowning and anointing of emperors, borrowed from Byzantium in imitation of Old Testament procedures, gave the king a character of special sanctity. He became, in a sense, like the Roman rex, both king and priest. Shakespeare, in a later age, makes Richard II say: "Not all the water in the rough sea can wash the balm off from an

anointed king."[1] This concept of kingship tended to gather strength with the weakening of the prestige of the papacy, and of the clergy generally.

None of the acts of Pepin uses the formula, "Dei gratia rex Francorum" which his successors regularly employ, but the idea may be seen in the phrase, "Juvante nos domino, qui nos in solio regni instituit."[2]

Charlemagne consolidated his appointment. Desiring to sever officially from the Eastern Empire, and to secure a legal basis for his own power in Italy and western Christendom, he made plans for his papal coronation, and on Christmas Day 800 Pope Leo III placed a crown of gold upon his head and proclaimed him Emperor and Augustus.[3] This was the official beginning of the Roman Empire of the Middle Ages. Henceforth, Teutonic-Latin civilizations recognized two divine and co-ordinated institutions, the Holy Roman Empire and the Holy Roman Church, each supreme within its own

1 William Shakespeare, King Richard II, III, 2.

2 Diplomata Karolinorum, t.1. publ. by E. Mühlbacher, Hannover, 1906.

3 On this event, Eginhard writes: Charles "at first so greatly disliked the title of Emperor and Augustus that he declared that if he could have

sphere.

Charlemagne, the dreit emperere assumed active leadership in Christian mission work, ecclesiastical legislation, church government, election of bishops, establishment of schools and monasteries, and the formulation of educational standards. He was aided in his work by the missionaries Arno, Bishop of Salzburg, and Willehad, Bishop of Bremen, and his advisors, Alcuin and Paul Warnefrid.

From the year 800 onwards, Charlemagne declares himself in the titles of his acts:

> Carolus, serenissimus augustus, a Deo coronatus magnus et pacificus imperator, Romanorum gubernans imperium, qui et per misericordiam Dei rex Francorum et Langobardorum.[1]

and adopted as his ensign that of St. Peter of Rome. He was not, however, a Roman Emperor.[2] He simply used the comparison for prestige purposes. Eginhard,

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known beforehand the intention of the pope, he would never have entered the Church on that day, though it was one of the holiest festivals of the year."-Early Lives of Charlemagne by Eginhard and the Monk of St. Gall, translated by and edited by Prof. A.J. Grant, London, 1926. See comment on this question of possible refusal, by Thos. Hodgkin D.C.L. op.cit. page 201.

1 Boretius and Krause, op.cit.

2 See Chanson de Roland, line 3094, also footnote by Jenkins on this line.

his biographer, tried also to draw this similarity, but it may be accounted for by the fact that the writings of Suetonius, the biographer of the Twelve Caesars, were known to Eginhard. In reality, Charles' power only vaguely resembled that of the ancient Caesars. The idea of <u>res publica</u> which hovered over the Roman emperor, making him the interpreter and executor of the collective public will had long disappeared in the West. During the course of the centuries that had rolled by since the barbarian triumphs over Rome, the various monarchs dominating the West had come to be considered all-powerful masters by right of conquest, disposing of land and people as personal property acquired at the point of the sword. Hence it was not an empty claim when Charles referred to himself as "Caput orbis, episcopus episcoporum, rex, rector et decus Ecclesiae".[1]

Thus, there is a close co-ordination between the image of the <u>dreit emperere</u> as painted in the <u>Chanson de Roland</u>, and the historical Charles. Eginhard eulogises him to an extreme:

26. He was most devout in relieving the poor and

1 see previous reference above on page 20.

> in those free gifts which the Greeks call alms...he cultivated the friendship of kings beyond the sea, hoping thereby to win for the Christians living beneath their sway some succour and relief.

27. He paid the most devout and pious regard to the Christian religion, in which he had been brought up from infancy.[1]

The divine nature of this popularly acclaimed emperor is continued in the chansons de geste. He is the ideal Christian general. He is both severe and gentle, courageous and prudent, the wisest in council and the boldest in battle. Ganelon praises his battle prowess (st. XLI), and when we finally see him in battle against Baligant, he justifies the description (CCXIXss). Being a divine monarch, he might justly exercise absolute power and make decisions arbitrarily, but when we see him presiding over the assembly of peers he democratically allows a majority vote, even though it goes against his personal wishes. For example, Roland is assigned to the rearguard in spite of him (st LIX), and his peers later propose to free Ganelon in spite of Charles' condemnation (st CCLXXI-CCLXXV). Throughout, he shows himself grave and majestic.

His soul is tender as well as lofty. He loves his friends and swoons three times with

1 A.J. Grant. op. cit. paras. 26, 27.

grief before the body of his nephew, Roland (st CCVIII et seq.). His tears flow and his lamentations are coloured with simple pathos (CCXII). And when he returns to Aix to be confronted by the tearful Aude, his compassion is so great that he finds difficulty in finding suitable words of consolation for her dead lover (l. 3717). On her death, his tender care is that of the devoted and bereaved father (3723-3733).

A fitting end to this brief description of the character of the <u>dreit emperere</u> is the speech of praise made by Alcuin in 794 or 795 on the day following the Council of Frankfurt:

> "Heureuse, a dit le Psalmiste (1), la nation dont Dieu est le Seigneur; heureux le peuple exalté par un chef et soutenu par un prédicateur de la foi dont la main droite brandit le glaive des triomphes et dont la bouche fait retentir la trompette de la Verité catholique. C'est ainsi que David, choisi par Dieu comme roi du peuple qui était alors son peuple élu..., soumit jadis à Israël par son glaive victorieux les nations d'alentour et prêcha parmi les siens la loi divine. De la noble descendance d' Israël est sortie, pour le salut du monde, la "fleur des champs et des vallées" (2), le Christ, à qui de nos jours le (nouveau) peuple qu'il a fait sien (3) doit un autre roi David. Sous le même nom (4) animé de la

1 <u>Psalms</u>, XXXII, 12.

2 <u>Song of Solomon</u>, II, 1.

3 The Christian people.

4 Charlemagne was surnamed David at the court.

> même vertu et de la même foi, celui-ci est maintenant notre chef et notre guide: un chef "à l'ombre duquel"[1] le peuple chrétien repose dans la paix et qui de toutes parts inspire la terreur aux nations païennes; un guide dont la dévotion ne cesse par sa fermeté évangélique de fortifier la loi catholique contre les sectateurs de l'hérésie, veillant à ce que rien de contraire à la doctrine des Apôtres ne vienne se glisser en quelque endroit et s'employant à faire resplendir partout cette foi catholique à la lumière de lagrace céleste.[2]

Thus in both history and literature did Charles fulfil the duties expected of him as divinely appointed emperor. Little wonder that his name was later chosen by the crusading French of the late eleventh and early twelfth centuries who wanted a national hero to support them in their Holy War against the Spanish Moors. His nationality, faith and life supported their cause admirably. The admiring form of address, <u>dreit emperere</u>, adopted by Roland, Ganelon and Naimes, three major characters of the <u>Chanson de Roland</u>, is entirely justified when applied to this monarch who became the symbol of Christ's kingdom throughout

1 <u>Song of Solomon</u> II, 1.

2 Alcuin, <u>Correspondence</u> in <u>Epistolae karolini aevi</u>, t,II, 41, publ. by E. Dümmler et al. Hanover, 1892-1939.

Western Europe in the eleventh and twelfth centuries.[1]

The form of address, dreit seigneur, is handed on to the son of Charlemagne, Louis the Pious who received control of his father's kingdom at his death in January 814. The historical Louis lacked the personality of his father, and within a few years of his ascendancy, discord, war, and fear of the Normans began to have their inevitable affect upon the unity of the Empire. However, Louis became king by nomination of his father and was crowned with the same dignity as Charles was. Hence, he could equally claim to be addressed in the same terms as was his predecessor. At an assembly of barons called by the noble Guillaume in the Chanson de Guillaume we find him referred to as :

> "Louis qui France ad a garder cum dreit seigneur, li noble onure. (1607-8).[2]

A further use of dreit which has religious overtones may possibly be recognized in the comment of Ganelon upon Roland's remark that Marsilius is not to be trusted and that his peace proposal be rejected.

1 His model in this respect is Theodoricus, 454-526, King of the Ostrogoths.

2 Chanson de Guillaume, ed. Duncan McMillan, Paris, 1949-50.

"Conseil d'orguill n'est dreiz que a plus munt." (228).[1]

Primarily, the sense of the word dreit here is "just" or again "according to the law, Frankish tradition, and-possibly-Christian ethics.". Bédier translates: "Un conseil d'orgueil ne doit pas prévaloir."[2] Ganelon charges that Roland's advice had been prompted by orgueil and folage -- orgueil in that it showed a careless disregard for the lives of others, and folage in in that Marsilius' proposition is satisfactory. It is therefore unjust that Roland's pride be the cause of death for a large number of Frankish knights brought about by the continuation of the war. It is possible that the Franks sense this injustice, since, as Jenkins notes,[3] they are silent indicating doubt or disapproval at the close of Roland's speech. So also are they silent at the close of Ganelon's opposing remarks, possibly for the same reason: they perceive pride, but this time not in the speaker's proposition, as much as in his bearing before the king:

1 c.f. line 2349, Chanson de Roland.

2 J. Bédier, op.cit. p. 21.

3 T.A. Jenkins, op.cit. p.34. See note on lines 228-9.

Molt fierement comencet sa raison. (219)

His proposal is only accepted by the Franks when the trusted Naimes,

Meillor vassal n'aveit en la curt nul, (231),

speaks in his support. It would thus appear that moderation was respected among the Franks, while its opposite, when it appeared in a knight, was treated with caution. Hence, even though Roland and Ganelon were respected for their bravery, their excessive pride was disapproved of. Perhaps the Christian Franks were well-versed in recognizing the most serious of the Seven Deadly Sins:

> These six things doth the Lord hate: yea seven are an abomination unto him:
> A proud look, a lying tongue, and hands that shed innocent blood....[1]

If so, then Ganelon is invoking a Christian principle to reject Roland's proposal, but is judged on the same ruling. If there is no religious implication, then Ganelon is simply making an appeal to moderation, and to the Frank's ultimate desire for peace and ubiquitous Christianity.

Other uses of the term <u>dreit</u> have a weaker implication: the subjective vagueness that often separates right and wrong, just and unjust.

1 <u>Proverbs</u>, VI, 16,17.

"Tort nos ad fait, nen est dreiz qu'il s'en lot." (1950)[1]

is the comment of Marganice who strikes Olivier in the back, hastening his death.

"Il nen est dreiz que païens te baillisent"(2349) says Roland to Durendal as he tries to break his sword with death fast approaching. The weaker significance of dreit in these two contexts is brought out in Bédier's translation: "S'il nous a fait du mal, il n'a pas sujet de s'en louer."[2] And "Il n'est pas juste que des païens te possèdent."[3] This meaning is the most frequently and commonly used one applied to the term in the chansons de geste. However in this particular context, dreit may have a religious reference, since the weapons of crusaders were often considered holy. Durendal, for instance, contained Christian relics in its hilt (2345-2346). The sword of Charlemagne, Joyeuse, contained in its pommel the point of the holy spear (2503-2505)[4]. Thus, a pagan's

1 Note the strong antithesis in this line (still a characteristic feature of French Tragedy in the Classical Age), a tendancy for overstatement, for seeing things in extremes.

2 J. Bédier, op.cit. page 165.

3 Ibid, page 197.

4 T.A. Jenkins op.cit. p.181, mentions several holy lances.

possession of such a holy weapon would hardly seem proper to a Christian knight.

Dreit is used with a feudal implication in in the Chanson de Guillaume. Rainouart, the giant scullion, turns warrior and with his giant "tinel" plays the major role in the battle at Archamps. The victory theirs, the Christians return to Orange where William rewards his men, but forgets Rainouart, who, slighted, leaves the court to embrace the pagan religion. Then:

> Dame Guiburc premer l'en apele:
> "Sire Reneward, pur les oilz de
> ta teste,
> Car pren dreit de mun seignur Willame!.." (l.3459).

McMillan translates the phrase prendre dreit de as "se reconcilier avec" and "accepter le droit."[1] Elsewhere, he narrates, "Sous les instances de Guiburc, Rainourt consent à pardonner à Guillaume sa negligence..."[2] While Frappier relates: "Guibourc obtient sans peine que Rainouart "s'apaise" et "pardonne" à son offenseur."[3]

These translations are somewhat loose. McMillan's "accepter le droit" seems to be closest,

1 Duncan McMillan, Chanson de Guillaume, ed. Paris, 1949-1950.

2 D. McMillan, op.cit. Vol.II, p.17.

3 J. Frappier, Les Chansons de Geste, du Cycle de Guillaume d'Orange, Paris, 1955, p.140.

for obviously Guibourc is asking Rainouart not to re-enter paganism, but to remain under feudal obligation to his lord. Since he holds no land, however, this obligation has little substance, and remains this way, since he is not rewarded by William after the battle. He thus makes this his excuse for leaving his lord. Capitularies dating from the time of Charlemagne deal with the question of feudal benefits. Hodgkin, discussing feudalism, says:

> One of the clearest allusions to it is contained in a Capitulary issued the year before Charlemagne's death in which it is ordained that no man shall be allowed to renounce his dependence on a feudal superior after he has received any benefit from him...[1]

Receiving no immediate benefit from his lord, Rainouart leaves him, forgetting that he has lived under the protection of William's household during the years preceeding Archamp. We must admit, however, that the feudal implications in this context are vague, since feudalism was still in its formative years.

Thus the word <u>dreit</u> has connotations that extend from the oldest principles pertaining to

1 Thomas Hodgkin, op.cit. p.242.

the Frankish tribes, extending through Christianity to the beginnings of feudalism at the Carolingian court. It refers to the various codes of law by which the Franks lived. These codes, by the eleventh and twelfth centuries, were beginning to show the effects of Christianity and of a feudalism. The term is applied to the Emperor who considered himself appointed by both God and man, and the interpreter of rightfulness on earth. Hence dreit is subjectively applied to Christians and to their beliefs; conversely, he who is not a Christian has no dreit (at least not on Christian territory).

CHAPTER II

TORT

As in the case of dreit, the concept of tort is of an extremely subjective nature. Its use is generally retained for application to those unfaithful to the Christian religion, but, as we shall see later, it is also applied by the Saracens to the Christians.

The term tort has two general aspects -- the moral or religious and the national. Commenting in general upon these two aspects as characteristics of the Old French epic, Gaston Paris writes:

> L'idee morale est au fond de toute épopée: la nation éprouve le besoin de mettre la justice qui fait le sujet de son côté, et c'est en general la violation de la justice qui fait le sujet et détermine le dénoument du récit... La morale de l'épopée prend généralement un caractère plus national encore, en ce que les crimes contre la nation sont les plus flétris, tandis que les autres sont souvent excusés par le dévouement à la nation. ...Toute religion commence presque toujours par être nationale. Les ennemis du peuple sont aussi ceux de la religion, et alors la religion ne fait que donner à l'idée nationale, dans l'épopée, une consécration et une profondeur nouvelles.[1]

We find these ideas well brought out in the use of the term tort, as found in the oldest chansons de geste.

"Paien unt tort e chrestïens unt dreit" (1015), says Roland in this well-balanced, doubly antithetical pronouncement, which seems to sum up the

1 Gaston Paris, Histoire poétique de Charlemagne, Paris, 1865, pp. 6,7.

above quotation from Paris. Tort has no specific reference beyond the fact that the enemy belongs to a different country and to a different religion, which makes continued observance of the Christian religion in Spain difficult. These conditions alone suffice to brand the Saracens with being tort. Roland speaks these words to his followers just after the Frankish rearguard has heard the Saracen trumpets at Roncevaux heralding the approaching battle. His men are thus reminded that the enemy is of a foreign country, of a foreign belief, and is, moreover, "in the wrong", as Jenkins translates the word.[1] Bedier translates the term in an equally general way:

" Le tort est aux paiens, aux chrétiens le droit"[2]

The "tort" arises out of the fact that the Saracens have a different religious belief, which prevents the Christians from coming to any religious agreement with them. Hence they are considered "tort" and must be driven out. Furthermore, they are a foreign race in control of a Christian country, constituting a possible future threat to French safety. Under these circumstances, war was inevitable.

During the Merovingian and Carolingian periods, fighting for the continued existence of the homeland was almost a part of a knight's everyday existence.

1 T.A. Jenkins, op.cit. p.327.
2 J. Bédier, op.cit. p.87.

The involvement of the Church in such bellicose happenings, however, was a much later development. Charles the Great found the Christian religion a unifying force which helped him control and administer his Empire. Hence he supported it and placed himself at its temporal head. At the same time, he was the apex of a social system consisting of benefices, recommendation, oaths of fealty, and the great domains, with the serf at the bottom of the scale looking up at the free man, the leud, the lord of the domain, the Count, and the palatine officer, who was subordinate only to the king. Charles headed both these systems, having an organization by means of the clerical hierarchy on the one hand, and the feudal order on the other. Hence the two aspects, religious and national, are already in existence, but the church _per se_ was not taking as yet an active part in the fighting. This did not come until after the Council of Clermont in 1095.

At the time of Charlemagne, existence was precarious and unpredictable. The Frankish state was surrounded by enemies: to the North-East lay the lands of the Saxons and other warlike German peoples; to the South-East were the Lombards; to the South were

the Aquitainians and Gascons, and in the West, the Bretons. Farther away, but also to be reckoned with were the Normans from Scandinavia, the Saracens from Africa, and the Byzantian Emperors in the East. As a result of so many opposing interests, Charles' reign was a series of battles, wars and reprisals.[1] His campaigns began in the year following his ascendency to the throne, with the suppression of Duke Hunold's rising in Aquitaine (769). Four years later he was marching for Italy when he was halted at Susa by the Lombard army under Desiderius, while another of his armies captured Verona (774). With the fall of Pavia, he took the title of King of the Lombards. For the next quarter of a century he warred with the Saxons east of the Rhine and north of Hesse and Thuringia.

It took no less than fourteen campaigns to complete the conquest. He then spent the next five years transferring troublemakers from the marshes of the left bank of the Lower Elbe and Nordalbingia to other parts of the Empire.

In 778, he annexed Bavaria, which action brought him into contact with the Avars of the Hungarian Steppes. Three years later, he began to harry their

1 So many, in fact, that Funck-Brentano draws our special attention to one year, 790, as being "a red-letter year... of peace." -- Fr. Funck-Brentano, The Earliest Times, London, 1930, p.359.

western lands between the Rivers Enns and Raab. In 796, the fortified camp of the Avar Khan was totally destroyed by Pepin, the second son of the Emperor-to-be.

To the South-West, Charles led an expedition into Spain (778), which proved to be a failure historically, but a success in the poem of Turoldus. Barcelona, however, was captured in 801, and six years later, Pampeluna accepted Charles' protection.

The year following his assumption of the Lombardian title, Charles was compelled to enter Italy where he crushed a Lombard rebellion. With this achieved, he was still obliged to cross the Alps on two further occasions (780 and 787) to assert his supremacy over Benevento.

Hence it would appear that Charles and his men spent many a weary day of marching and counter-marching in order to quell the ardours of border-country rebels. Little wonder that Charles became weary with this constant state of war, which Turoldus aptly points out:

> Li emperere n'i volsist aler mie:
> "Deus," dist li reis, "si penuse est ma vie!"
> Pluret des oilz, sa barbe blanche tiret. (3999-4001).

In all these warrings, the enemies of the historical Charlemagne were considered by the poet of the

Chanson de Roland, aveir tort, but chiefly from a political, and possibly an ethical point of view. The Church remained apart from so much bloodshed and loss of life, except that she was called in to convert to Christianity the subdued infidels.[1]

Little by little, however, the Church was inescapably drawn into the situation that we find in the Chanson de Roland--belief in the doctrine of the Holy War. The first steps in this direction may be found back in the fourth-century reign of Constantine. During the previous three centuries, the Church Fathers had professed the cult of the Prince of Peace. But with Constantine's conversion, the armed might of the Roman Empire became available for the defence and extension of the Gospel. Hereupon,

> ...bishops became politicians, and politicians bishops: the two powers, secular and sacerdotal, long sundered, were reunited, and theologians rejoiced at their new ability to supplement the force of argument by the argument of force.[2]

A second step came with the surge of Islamic troops into South-West Europe in the seventh century.

1 The sincerity of which conversions may be doubted. See Funck-Brentano, op.cit. p.362 but see also p.345, on Charles' personal evangelizing attempts.

2. F.J.C. Hearnshaw, Chivalry and its place in history appearing in Chivalry, Kegan Paul and Associates, London, 1928, p.8.

The native inhabitants objected to their presence on grounds of race and religion, with the final result that Christianity became militarized. Hearnshaw comments:

> Christendom was compelled to defend itself by means of the same weapons by which it was attacked; and it was not to be thought of that Christian knights who fought in defence of the Church against the infidel should hold a lower place of honour on earth, or should enjoy a less speedy prospect of celestial felicity than those accorded to the Moslems.[1]

This second stage differs from the first in that the religious question had grown in importance, since the question of religion was one of the major causes in the war, and the Christian was fighting to defend the existence of his religion.

Finally, in 1095, the Council of Clermont was held, which brought about the fusion of war and religion. The first Crusade was proclaimed together with the issuing of the general injunction by Pope Urban II, that every person should take a solemn oath before a bishop that he would defend to the uttermost the oppressed, the widow and the orphan, and that women of noble birth should enjoy his special care. Thus we may say that Christian chivalry was now established as distinct from mere feudal knighthood.

Up until this time the feudal knight had

1 Ibid. p.8.

aroused much criticism from the Church as a result of his nefarious activities, which accorded little with the principles of Christianity.[1] However the significant change came at the close of the eleventh century when the clergy began to preach that a noble who violated certain rules was no true knight. One comment on Urban II's famous 1095 sermon runs: "Now they may become knights who hitherto existed as robbers."[2] Which means the nobles who ignored the Church's injunction to abstain from rapine were not knights. Suger, Abbot of St. Denis, speaking of the notorious noble brigand Thomas de Marly states that a Church Council declared him unworthy to wear the belt of a knight.[3]

1. For such criticisms see F.J.C. Hearnshaw, op. cit. p.30 and also L. Gautier, La Chevalerie, Paris, 1883, pp. 7-11 for the objections of the early Church fathers.

2. Patrologiae cursus completus, series latina, edited by J.P. Migne, Paris, 1844-1866. CLI, p. 576. Quoted from Sidney Painter, French Chivalry, Baltimore 1940, p.67.

3. Abbot Suger, Vie de Louis le Gros, edited by Auguste Molinier, Collection de textes pour servir à l'étude et à l'enseignement de l'histoire, Paris, 1887, pp. 81-82.

William of St. Thierry, friend and biographer of Bernard of Clairvaux, in describing St. Bernard's father, calls him a man of "ancient and legitimate chivalry". He made war according to the rules laid down by the Church and abstained from plundering.[1]

From the above we see that the national and religious aspects of the word tort belong most fittingly to the era following the Council of Clermont in 1095.[2] While the double connotation may have existed under the warrior Emperor Charlemagne, the fullness of its application did not develop until more than three centuries after the Battle of Roncevaux. Jacob writes that the Church's idea of knighthood reached its highest form as "a product of the great period between 1080 and 1130, the period of spiritual and intellectual renaissance".[3] It is in

1 J.P. Migne, Op.cit. CLXXXV, p.227.

2 L. Gautier, op.cit. p.7 sees such a difference between the two periods that he calls them "...l'époque des persécutions et les siècles qui ont suivi la paix de l'église." For a portrait of the knight as a "tyranical bully" in the earlier period see E. Prestage, Chivalry, London, 1928, p.5.

3 E.F. Jacob, student of Christ Church, Oxford, The beginnings of Medieval Chivalry, in Chivalry, (op.cit.), p.45.

the chansons de geste that is to be found the full exposition of the chivalric ideal in its early stages. Roland follows his liege lord against the enemies of France and of Christ; and as he dies, he extends his right gauntlet to the sky in token of his vassalage to God (l.2389).[1]

Thus we may conclude that while the religious and national connotations of the word tort applied to the Saracens both existed in a small degree at the time of the battle at Roncevaux,[2] it is not until the period that begins at the close of the eleventh century that the full significance of the word appears, as we hear Roland cry out in the Chanson de Roland :

> "Ferez i, Francs, nostre est li premers colps!
> Nos avum dreit, mais cist glutun unt tort."
> (1211-1212)

This is a statement charged with confidence which urges the French on as the battle proceeds at

1 For an explanation of the chivalric symbolism of Roland's glove at his death, see Gustave Cohen, Histoire de la Chevalerie en France au Moyen Age, Paris, 1949, p.46.

2 But see note by T.A. Jenkins, op.cit. p.83, where he quotes W. Tavernier, Vorgeschichte des altfrz. Rolandsliedes, Berlin, 1903, pp. 83-88 with the theory that the conflicts of Western

Roncevaux. That they had struck the first blow was a happy augur as to the successful outcome of the battle.[1] However, it proved fallacious on this occasion. Further, the Franks "are in the right"[2] -- "Le droit est devers nous."[3] Du Cange gives the word dreit its widest connotation as he translates it "jus, reditus, praestatio."[4] On the other hand, the enemy "are in the wrong"[5] -- "sur ces felons le tort."[6]

Europe with the Saracens were political rather than religious in motive.

1 See T.A. Jenkins, op. cit. note p. 97 on this point. In lines 866 and 867 we also find the same belief as Aelroth, nephew of Marsilius, begs for the chance of the first blow against Roland, boasting that he will be victorious. Again, in the judicial duel between Pinabel and Thierri, we find each combattant eager to deliver the first blow (3878). It was customary to ask for the first blow in a battle -- see Taillefer at Hastings, as related by Wace, Rou 8035ff, Benoit, Chronique, 37497ff, and Balant, Aspremont, 600.

2 T.A. Jenkins, op. cit. p. 314.

3 J. Bédier, op. cit. p. 105.

4 Dominus du Cange, Glossarium Mediae et Infimae Latinitatis, Paris, 1846, vol. II, p. 866. Directum.

5 T.A. Jenkins, op. cit. p. 372.

6 J. Bédier, op. cit. p. 105.

According to the meaning given to "tortus" by Du Cange, the enemies are responsible for the harm and injury that came about as a result of their presence:

> Tortus : Damnum, injustitia, vis, violentia alcui illata, tort, injure.[1]

with which Maigne d'Arnis agrees :

> Tortus : Damnum, Injustitia, vis, violentia alcui illata, tort, injustice, violence.[2]

Thus we begin to see the full significance of Roland's exhortation : moral right is on the side of the Franks, while the Saracens are in the wrong, bringing violence and injury upon a Christian land.

We find the word <u>tort</u> used with the same connotation as Roland slays Valdabron, a sea captain, who has just killed Duke Sanson.

> Dient paien(t) (...):"Cist colp nus est mult fort!"
> Respont Rollant : "Ne pois amer les voz;
> Devers vos est li orguilz e li torz." (1590-1592)

Bédier translates: "Les paiens disent 'Ce coup nous est cruel!' Roland répond: 'Je ne puis aimer les

1 Dominus du Cange, op. cit. p. 260.

2 W.H. Maigne d'Arnis, <u>Lexicon manuale ad scriptores mediae et infimae Latinitatis</u>, Paris, 1890, col. 2207.

vôtres. L'orgueil est devers vous et le tort.'"[1] Roland still insists that the enemy are in the wrong and links this concept with pride, the first of the seven deadly sins,[2] thus giving tort its religious aspect. The nationalistic nature of the word is brought out as Roland uses it as his reason for not loving the Saracens. Jenkins refers to the "intensive feudal meaning" contained in line 1591.[3] The word amer, here, has a legal sense, and refers to the friendship or loyalty which a vassal shows for his lord. Thus, as he speaks, Roland shows an awareness of both his duties as a Frankish noble and his duties as a Christian knight.

Again, the wrong in which the pagan invader stands is expressed in Roland's words to Marsilie, who has just killed Bevan and three other French knights :

> Dist al paien: "Damnesdeus mal te duinst!
> A si grant tort m'ocis mes cumpaignuns!" (1898-1899).

Bédier translates these lines: "Il dit aux paiens 'Dieu te maudisse! A si grand tort tu m'occis mes compagnons!'"[4]

1 J. Bédier, op. cit. p. 135.

2 Proverbs, VI, 16.17.

3 T.A. Jenkins, op. cit. p.121, note.

4 J. Bédier, op. cit. p.161.

Roland then proceeds to cut off Marsilius' right hand. This dire retribution exacted from the pagan king is justified to the Christian because the pagan has committed a wrong against Christianity -- he has killed four Christian knights, therefore it is expected that he should be cursed by God. The concept contained in the modern saying : All is fair in love and war, certainly does not apply here. Marsilius' guilt is accentuated by the brief duration of Roland's attack upon him. Two lines suffice to complete the incident, which was foretold to Charles in a vision, thus helping to give divine overtones to the incident.

One has to reflect but little to realize the arbitrariness in the application of tort to the infidel, and its opposite, dreit, to the Christian. Amongst his own people, Marsilius is respected as much as any Christian king : he is addressed as gentilz reis (3642); and on the battle-field his prowess is the equal of most Christian fighters' prowess. He needs to attempt the coup de grâce just once and he quickly dispatches Bevon, Lord of Beaune and of Dijon ;

Que mort l'abat seinz altre descunfisun (1894).

Similarly, Baligant's bravery is admired during the single combat :

Li amiralz est mult de grant vertut (3602)[1],

but he is doomed to lose the duel because

... il ad tort e Carlemagnes dreit (3554).

Like Marsilius, he:

... Mahumet sert e Apollin recleimet (8).

Consequently, all those who oppose the Christian interests -- in particular Marsilius and Baligant and their sons -- die leaving Bramimonde and a few other minor proselytes (3666-3671) to abandon the pagan faiths. Léon Gautier cites a variation of Marsilius' death scene reported by St. Pierre Damien, by the Chronique de Turpin, and in Anseïs de Carthage, which makes us wonder which of the two leaders, Charlemagne or Marsilius, was the more "tort."

> Le roi sarrasin, Marsilie, est prisonier du grand empereur. "Convertis-toi ou meurs," lui crie-t-on, et voici qu'on lui offre cette abominable option entre le baptême et la mort...Le roi paien n'hésite pas, et refuse de se convertir à la loi du Christ. Il a ses raisons, et ne se fera pas baptiser: plutôt la mort. "Quels sont, demande-t-il à

[1] In bravery he is the equal of any Christian. His damning fault is his religion. c.f. line 3164. Similarly, Ganelon's lack of loyalty prevents his being classed as baron : 3764.

> Charlemagne, ces gros personnages couverts des fourrures, qui sont assis à votre table? - Des évêques et des abbés. - Et ces autres, si maigres, vêtus de noir ou de gris? - Des frères mendiants qui prient pour nous. - Et ces autres, enfin, qui sont assis par terre et à qui l'on donne les restes de votre festin? - Ce sont les pauvres. - Ah! s'écrie Marsilie, c'est ainsi que vous traitez les pauvres, contrairement à l'honneur et à la révérence de Celui dont vous avez la foi. Eh bien! non, décidément non, je ne veux pas être baptisé, et préfère la mort."[1]

If we take this passage at its face value we are led to conclude that the pagan king was more virtuous than the Christian, for he, at least, made complaint about the harsh treatment of the poor which prompts us to suggest that the Christians would have done well to have set their own houses in order before applying Christian principles to the customs of the Saracens.

1 Léon Gautier, op. cit. p.83. This scene, reported in the Chronique de Turpin takes place between Charles and Aygolant, the captured pagan general. At the end of the scene, the general comments "Legem tuam, quam dicebas esse bonam, nunc ostendis esse falsam." Epistola Tulpini, X; and "Ta loy, que tu disoies si bone monstre par ce que ele soit fause." Les Grandes Chroniques de France, IV, V. Charles seems to agree with this condemnation for he orders the poor to be fed and clothed; but Aygolant still chooses death rather than baptism. R. Mortier, Les Textes de la Chanson de Roland, Vol.3. La Chronique de Turpin et Les Grandes Chroniques de France. Paris, 1941, pages 34, 35.

Further evidence of misbehaviour by Christian knights appears in the opening lines of the Chanson de Guillaume, where we find Tiebaut and Esturmi returning from vespers in an inebriated state (line 32). Tiebaut, the commander of the Christian forces, decides not to call for Guillaume's aid (1, 91), in spite of overwhelming enemy forces (ll. 101-103), and compels himself to stand by this drunken decision (1, 131) as he views the hopeless situation the following day, jeopardizing the lives of hundreds of Christian troops -- behaviour hardly fitting a soldier of God. Such states of affairs bring out the arbitrariness of attaching the term tort to the Saracens alone.

We find the word tort again closely allied to religion as Ganelon taunts Marsilius during his embassy to the pagan king :

> Si li ad dit: "A tort vos curuciez,
> Quar ço vos mandet Carles, ki France tient,
> Que recevez la lei de chrestïens (469-471).

Some critics attest that Ganelon is deliberately attempting to provoke Marsilius here.[1] If this is so,

1 See T.A. Jenkins, op. cit. p.41 and note. See also J. Bédier, Les Légendes épiques. Recherches sur la Formation des Chansons de Geste, Paris, 1912.III, p.418. where he remarks: "Ganelon risque sa vie. Certes, mais c'est précisément ce qu'il veut..."

then it is significant that he uses the question of right and wrong to do so. The provocation becomes the more effective if Marsilius realizes that the Christians are just as much "tort" as the Saracens, if not more so. Hence Ganelon is exploiting the arbitrariness of the term. However, the phrase, a tort, itself in this passage has the much weaker adverbial meaning of "wrongly".[1] Bédier translates the line: "Il lui dit 'Vous vous irritez à tort[2]...". It finds its equivalent in the Latin adverb:

"Tortionarie : ... à tort."[3]

The phrase, a tort, also occurs in Chanson de Guillaume, as Guillaume masses his men for a new expedition to Archamp, telling them that their object is to demonstrate to the Saracens that they are doing wrong when they attack the Christians:

Car lur alum chalenger e mustrer,
Qui a tort honissent sainte crestiente![4]

1 T.A. Jenkins, op. cit. p. 372.

2 J. Bédier, La Chanson de Roland, Paris, 1931, p. 41.

3 W.H. Maigne d'Arnis, op. cit. col. 2207.

4 Duncan McMillan, La Chanson de Guillaume, Paris, 1949-50. 2947-2948.

This demonstration will be carried out in accordance with the lex talionis.[1] Victory, of course, will be accepted by the combatants as proof of rightfulness. In this situation, we again find tort being applied to a group that differs from another in religion and in nationality.

That the Christians believe that they cannot do wrong to the Saracens is indicated in the words of Guillaume in the Chanson de Guillaume. He kills fifteen pagans and wounds another sixty, and is then confronted by the pagan king, Alderufe, who threatens to kill him. Guillaume, with admirable equanimity, addresses the king as "brother", and asks what harm he has done him, offering to rectify any wrong done:

> "Si t'ai fait tort, prest sui que dreit t'en face,
> Sil vols receivre, jo t'en doins mun gage."
> (2109-2110).

Alderufe refuses any reconciliation, and is decapitated by Guillaume wielding Joyeuse, the sword of Charlemagne. Thus, to Guillaume, it would seem that killing pagans is not only the most natural but also the most logically right thing to do, since even in the heat of battle he is quite prepared to stop and discuss the rightfulness of his killings.

1 Holy Bible, Leviticus, XXIV, 17-12 explains this term.

The duel between Charlemagne and Baligant, at the climax of the Emir's expedition in the Chanson de Roland, is again ranged over the question of tort.

> Ceste bataille ne poet remaneir unkes,
> Josque li uns sun tort i reconuisset (3587-3588).

In Bédier's words: "Cette lutte ne peut cesser que l'un des deux n'ait reconnu son tort",[1] which Whitehead translates as "admit (his crime)"[2], and Jenkins as "acknowledge as being in the wrong".[3] The guilty party has, however, already been prejudged (3554), at least from the poet's point of view, and in spite of Charlemagne's great age (542), and the ability of the pagan (3530), no one is surprised to see Charles emerge victorious (3619), proving once again that God hates the pagan faith (3638). The nature of a judicial duel is to demonstrate the wrong from the right. This duel was over a point of religion, but such is not the question in every such duel, as for example the one

1 J. Bédier, op. cit. p. 299.

2 F. Whitehead, La Chanson de Roland, Oxford, 1946. p. 159.

3 T.A. Jenkins, op. cit. p. 361.

between Thierri and Pinabel. We may note that tort was used in connection with the religious duels between Charles and Baligant (Chanson de Roland) and between Guillaume and Alderufe (Chanson de Guillaume), but not in connection with the non-religious duel between Thierri and Pinabel.

Occasionally, we find tort being applied to the Christians by the Saracens. During the course of the battle at Roncevaux, the pagans notice that the numbers of the Franks are decreasing. This raises their morale.

Dist l'un a l'altre: "L'empereor ad tort." (1942) Which Bédier translates, "Ils se disent l'un à l'autre 'C'est que le tort est devers l'empereur!'"[1] Thus they see a superiority in their own gods, which puts their cause in the right and that of the Christians in the wrong. The Caliph, Lord of Carthage and Ethiopia, strikes Olivier a mortal blow from behind saying :

> [Charles] Tort nos ad fait : nen est dreiz qu'il sen lot (1950).

1 J. Bédier, op. cit. p. 163.

Again, during the single combat with Charles, the Emir Baligant blames the emperor for the death of his son, and continues :

A mult grant tort mun païs me calenges (3592), which Bédier translates, "...c'est à tres grand tort que tu revendiques mon pays".[1] Thus, we find a reverse application of tort. Baligant considers himself ruler of Spain, with Charlemagne being the intruder. No doubt, from a religious point of view he holds his own beliefs to be right which consequently makes those of Charles and Christianity wrong. The result is that we find tort being applied in the Chanson de Roland by the Christians to the Saracens and vice versa. However, the frequency of application lies with the supporters of Charlemagne, which actually proves nothing, since the poet himself is obviously pro-Christian.

Other instances occur in the use of tort with a much wider and less intense significance. After Roland has been assigned to the rearguard, Charles is besieged with gloomy presentiments. Naimes

1 J. Bédier, op. cit. p. 299.

says to him:

> "De quei avez pesance?"
> Carles respunt: "Tort fait kil me demandet!
> Si grant doel ai ne puis muer nel pleigne."
> (832-834),

which Bédier translates: "'Qu'est-ce donc qui vous tourmente?' Charles répond: 'Qui le demande m'offense. Ma douleur est si grande que je ne puis la taire.'"[1] Jenkins translates the term in this line as "wrong, injury".[2] It would seem that the modern English legal term "tort" developed from this concept:

> TORT. Used where common law has been received into civil law...Tort must be an act which violates a general duty...a tort is essentially the source of a private right of action. Duties enforced by the law of torts are broadly those summed up in the Roman precept "Alterum non laedere". Every member of a civilized commonwealth is entitled to require of others a certain amount of respect for his person, reputation and property...[3]

Hence when Naimes enquires into Charles' troubled state of mind, the emperor considers himself wronged because the Count is violating Charles' personal thoughts.

In sum, the term <u>tort</u> is used having the

1 J. Bédier, op. cit. p. 73.

2 T.A. Jenkins, op. cit. p. 372.

3 <u>Encyclopedia Britannica</u>, 1958 edition, vol. 22, p.309."...breach of duty...": J.H. Murray, <u>Oxford Dictionary</u>, vol. X, part I, 1926 P. 167.

specialized terminology of wrong-being from nationalistic and religious viewpoints. This dual aspect is peculiar to the Crusade era and reaches its full intensity with the beginnings of the twelfth century. In its other more general meaning, the word is older than the Crusades and still exists to the present day. It has found its way into legal codes. It may be remarked that the idea of considering the pagans tort is chiefly a characteristic of the Chanson de Roland. Other early forms of the Chansons de geste, Chanson de Guillaume and Aliscans, for example, do not contain this same concept expressly stated. Occasional indications of pagan wrong are found -- as for example those already quoted from the Chanson de Guillaume -- but such references of wrongfulness are usually indirect. For instance, in Aliscans, an indirect indication of God's helping the Christians is noted. Guillaume finds Vivien badly injured :

N'avoit sor lui d'entir ne tent ne quant (706)
Sa cervele ot deseur ses iex gisant (701)
Parmi le cors ot .XV. plaies tes
De la menor morroit .I. amires (690-691).[1]

1 Paget Toynbee, Specimens of Old French, Oxford, 1892. p. 64.

In this portrait of super-human endurance and suffering is seen the helping hand of God. By inference, therefore, God opposes the cause of the pagans. However, the term tort is not used in this scene, although frequent opportunity for such use arises as the death of the young knight is related in both the Chanson de Guillaume and Aliscans versions.

CHAPTER III

CHRESTIEN

The notion of the Holy War is a common theme throughout the oldest chansons de geste. A. Castro takes this idea further and asserts that these oldest French epics "...were conceived in connection with supernatural beliefs to which the poetic life of the characters was subordinated."[1] This may be so, for much internal poetic evidence is available in support of such a claim. However, the tone and direction of these old epics certainly suggest the conclusion that their general theme is "...the realization of the Kingdom of God in History."[2] This may be an overstatement; but it is an attempt to express an extraordinary religious emphasis that makes us expect that there be a close connection between the word chrestien and the term "rightfulness", the topic of our discourse. In this chapter, we shall examine this link by discussing the meaning

1 Américo Castro, The Structure of Spanish History, transl. E.L. King, Princeton, N.J. 1954, p.261.

2 Karl Heisig, Geschichtsmetaphysik des Rolandslied u. ihre Vorgeschichte, in Zeitschrift für Romanische Philologie, 1935, LV, pp. 66,72,87.

of chrestïen in its various facets revealed in the chansons.

The word chrestïen appears in French texts as far back as the Serments de Strasbourg,[1] it being a "Francisation du latin ecclésiastique - christianus." Such a person is (in German) "Christ",[2] (in French) "...qui est conforme au christianisme, propre au christianisme"[3]. However, the connotation attached to the modern-day term "Christian"[4] is somewhat different from the ideal contained in the word when applied to the knight of the chansons de geste. The approach is much more militant and feudal in its nature.

Léon Gautier succinctly sums up the duties of the Christian knight in what he calls the "...dix commandements du Code antique de la Chevalerie":

1 See Oscar Bloch, Dictionnaire Etymologique de la Langue Française, Paris, 1932, p.149.

2 Tobler-Lommatzsch, op.cit. Band II, col.1040.

3 Walther V. Wartburg, Französisches Etymologisches Wörterbuch, Band II, Tübingen, 1949, p.654.

4 T.A. Jenkins, op.cit. p.301.

1. Tu croiras à tout ce qu'enseigne l'Eglise, et observeras tous ses commandements.
2. Tu protégeras l'Eglise.
3. Tu auras le respect de toutes les faiblesses, et t'en constitueras le défenseur.
4. Tu aimeras le pays où tu es né.
5. Tu ne reculeras pas devant l'ennemi.
6. Tu feras aux Infidèles une guerre sans trêve et sans merci.
7. Tu t'acquitteras exactement de tes devoirs féodaux, s'ils ne sont pas contraires à la loi de Dieu.
8. Tu ne mentiras point, et seras fidèle à la parole donnée.
9. Tu seras libéral, et feras largesse à tous.
10. Tu seras, partout et toujours, le champion de Droit et du bien contre l'injustice et le Mal.[1]

While these commandments per se are not listed in any medieval edict an examination of them with respect to the oldest chansons de geste will help elucidate the connotation of the term chrestien, for only by following the demands of knighthood to the letter may a knight claim to be doing the will of God as expressed in this line from the Chanson de Roland:

Païen unt tort e chrestiens unt dreit (1212).

To become a true knight one had to be a Christian, which required baptism. Rainouart in Aliscans and the Chanson de Guillaume did not become a knight until he was baptised,[2] although

1 Léon Gautier, La Chevalerie, Paris, 1883, pp.32,33.

2 Aliscans lines 7612, 7680. Chanson de Guillaume, lines 3484ff.

he momentarily forgot this fact during the heat of battle when he told Balan, a pagan leader armed with a mighty club, "Jo sui ben baptisez" (3252, Chanson de Guillaume). This answer may be viewed as a rationalization whereby Rainouart accounted for, and excused, his actions not only to the pagan but also to himself. Before the battle of Aliscans, Vivien harangues his troops: "Ces païens ne croient qu'à l'Antichrist, et tous leurs dieux sont chétifs et misérables, mais nous croyons, nous, au Roi du Paradis, qui est mort et est resuscité." He then adds, "Pensez à nos âmes, ô mon Dieu, et réunissez-les là-haut. Quant à nos corps, il en sera ce que vous voudrez."[1] These words show the Christian's implicit belief in the teachings of the Church, re-echoed by the poet of the Chanson d'Antioche, as he clearly defines the Christian character of the baron, referring to him as "...li Jhesu chevalier...Cil qui Damnedieu servent de loial cuer entier"[2]. This is the character of the noble Roland, Olivier, the Twelve Peers, Vivien, all of whom serve their religion and their country

1 Translated by L. Gautier, op.cit. from Covenans Vivien, ed. Jonckbloet (Guillaume d'Orange, etc.) La Haye, 1854.ls. 395-9, 455-7.

2 Chanson d'Antioche, vol.II, ed. P.Paris, Paris, 1848, l.153-4. Loial or leial is discussed later, see page 117 below.

to the death - deaths which are so glorified by the poets; deaths calculated to make any man proud to die. Turold, particularly, treats the final moments of his three heroes, Olivier, Roland and Turpin, with great skill in gradation. Horrent comments on this:

> "Olivier meurt humblement, en faisant les derniers gestes du chretien..."

Turpin dies in a scene of noble grandeur.

> "La mort de Roland: le couronnement de l'oeuvre ...c'est une mort oratoire et triomphante... il est chrétien et à l'ultime seconde saura se faire humble. L'effet spectaculaire est grandiose..."[1]

The three deaths constitute a continuous progression which produces a strong impression upon the hearers through their increasing intensity. In describing these deaths in this manner, the poet emphasises the honour and glory of dying for Church and country.

What matters most to these unquestioning warriors is action, not impersonal reasoning. While deeds are viewed with great admiration, logic is frequently ignored. The Christian is taught that he who lives by the sword shall die by the sword,[2] but in his dedicatory prayer the

1 Jules Horrent, La Chanson de Roland dans les Littératures Française et Espagnole au Moyen Age, Paris, 1951, p.267, for both quotations.

2 Matthew XXVI, 52 and Revelations, XIV, 10.

knight has a rationalization that excuses him on this point:

> "Seigneur très saint, Père tout puissant... Toi qui as permis sur terre l'emploi du glaive pour reprimer la malice des méchants et défendre la justice, qui, pour la protection du peuple, a voulu constituer l'ordre de chevalerie... fais en disposant son coeur au bien, que ton serviteur que voici n'use jamais de ce glaive ou d'un autre pour léser injustement personne, mais qu'il s'en serve toujours pour défendre la Justice et le Droit.[1]

With this prayer upon his lips, the Christian knight looks upon his sword as being holy, and forgets the niceties of logic. The result is that the chansons de geste always move along at an active pace. Neither poet nor knight stops to evaluate Christian and pagan situations, nor to assess them from a point of view of right and wrong with any logical insight. Responsibility for this state of affairs may be traced partly to poor religious instruction by inferior teachers and to an incompletely defined dogma.[2] However, Guillaume does offer to consider the rightfulness of his acts in a rather unusual scene with Alderufe

1 Gustave Cohen, Histoire de la Chevalerie en France au Moyen Age, Paris, 1949, p.31. Prayer attributed to the historical Bishop Durand.
2 M. Bloch, La Société féodale, la Formation des Liens de Dépendence, No. 34, Paris, 1949, p.132.

in the Chanson de Guillaume (ll. 2107-2110), but the proposition is ignored. God and his angels are very close to men,[1] and when the Holy City is viewed for the first time a whole army throw themselves to their knees in awe:

Dont sont tous nos François cochie a genoillon.[2]

This naivety or simplicity with respect to religion is brought out frequently in the chansons de geste. To these medieval knights there were but two religious beliefs: Christianity and paganism. Just as denominationalism was not practised under Christianity, diversity in non-Christian belief was not discerned, either. The pagans worshipped

1 "Men knew that God and the saints were close beside them, beneath the blue vault of heaven which was not very far above their heads, since in days not long past, people climbing on a high tower had almost succeeded in reaching it. And nearer still, on the earth itself, God and the saints were active every day."-a picture of eighth century Europe by Fr. Funck-Brentano, "The Earliest Times, London, 1927, p.346. This naivety is also mentioned by W.S. Davis, Life on a Medieval Barony, New York, 1923, where "Each person prays for 'just treatment' and for good luck. p.286. On the separation of science and religion, see M. Bloch, La Société Féodale, No. 34, Paris, 1949, p.134.

2 Voyage à Jerusalem, ed. Hippeau, Paris, 1868, l.15 and following.

the"Antichrist",[1] having a "trinity" composed of Mohammed, Tervagant and Apollo.[2] Thus a warrior had little difficulty in discovering his opponent's religion - there were but two alternatives.[3] We are constantly being made aware of this simple divisioning, since it is often used as a poetic antithetical device, both in Chanson de Roland (l.1212), and particularly in Chanson de Guillaume:

> Crestiente en ert dis plus vils
> E paenisme en ert le plus esbaldi (205-206),[4]

says Vivien to Tiebaut, as he advises him against fighting without Guillaume. Walther von Wartburg brings out this black and white method of religious classification in a part of his definition of the word crétien

1 Covenans Vivien, ed. Jonckbloet, La Haye, 1854, l.395. This name grows out of an ignorance of foreign beliefs among the poets of the chansons de geste. The Britons (Celts) and Vikings are equally called "Arabs", e.g. "Gormond li Arabi" in the Chanson de Gormond et Isembart.

2 See chapter on PAÏEN, pages 148-156.

3 See Chanson de Guillaume l.3031. Similarly, the Moslems called all crusaders Franks, because of their dominant part in the Crusades in Spain and Palestine. See S. Painter, French Chivalry, Baltimore, 1940, p.37.

4 The opposition of the two terms crestiente and paenisme occurs frequently in the Chanson de Guillaume. e.g. 1374, 2189-90, 1600, 1490, 2230, 3031.

> "Verallgemeinert: homme, par oppos. à animal, homme blanc."[1]

This reference to "homme blanc" is, from a sophisticated standpoint, precisely what seems to be indicated in the use of chrestïen as opposed to païen - the white men are the Christians and the black are the pagans.[2] In viewing their respective behaviours on the battlefield, one might accuse both sides of equal atrocities, and thus reduce the difference between Christian and pagan to simply one of colour. But such a judgement would only come as a result of a lack of understanding and appreciation on the part of the observer.

Confession was expected of the Christian knight, just as much as of the serf. Before the judicial duel, Thierry and Pinabel confess their sins (Roland 3859), and before the Battle of Roncevaux, Turpin absolves and blesses the French (1124-1138). As they die, Roland (2388) and Vivien (Aliscans 952) confess their sins, and their souls enter Paradise. By dying for

1 Walther von Wartburg, Französisches Etymologisches Wörterbuch, Band II, Tübingen, 1949, p.654.

2 In spite of the fact that the Moors were not black. However, there were a few African Negroes who fought with them.

their faith, they have accomplished the supreme duty of the Christian knight. An ominous silence hovers over the fate of the soul of Ganelon - who did not acquit himself in a Christian manner.

In attacking the pagans, the knight is defending the Church - a duty laid out in the Roman Pontifical.

> "Accipe gladium istum in nomine Patris et Filii et Spiritus Sancti et utaris eo ad defensionem tuam ac sanctae Dei Ecclesiae et ad confusionem inimicorum crucis Christi ac fidei Christianae."[1]

Hence he accounts for his ruthless action in dealing with those who wish to destroy the Holy Church. "Maintenir la Chrétienté", writes Léon Gautier,

> "c'est un mot qui est souvent répété dans nos vieux poèmes, et il dit bien ce qu'il veut dire. Quand les jeunes damoiseaux quittent la maison paternelle, la dernière parole de leurs mères est pour rappeler ce devoir auguste: 'Servez Jésus-Christ et la Sainte Eglise.'".

With these words ringing in their ears, they go out into the world: a world composed of priests, soldiers, and serfs. Each plays an essential part in the support of his motherland: the priest

1 "De benedictione novi militis", De Antiquis Ecclesiae Ritibus, vol. II, (original edition), D. Martène, Antwerp, 1736-7.

prays for her, the serf feeds her, and the soldier protects both serf and priest -- both France and her Church.

The state of war unites priest and knight: the former is no longer revolted by the brutalities of the latter -- in fact, the priest's battle prowess sometimes equals that of the soldier.[1] And the soldier is no longer angered by the sheltered life of the priest, who takes advantage of the war situation to gird a sword-belt over his clerical frock. From this era dates military orders among knights:

> Dès 1098, apparaît l'expression d'ordonner chevalier[2] (ordo) ce n'est pas un ordre religieux, mais c'est un ordre social qui, à certains égards, en participe, d'où la facilité avec laquelle se créeront depuis la première croisade les ordres militaires religieux...[3]

As the soldier tended towards the religious, so (after 1095) did the priest become militaristic

1 C.f. Turpin's role at Roncevaux, particularly line 2130.

2 See Recueil des Historiens de France, t. XV, p.187, Quoted by M. Bloch, La Société féodale, II, Paris, 1949, p.49.

3 Gustave Cohen, Histoire de la Chevalerie en France au Moyen Age, Paris, 1949, p.14.

(in the sense of a chevalier d'un ordre religieux), which activity produced no qualms in the holy man's mind, nor did it reduce his holiness in the eyes of the laity -- on the contrary, it increased his prestige and drew forth admiration from faithful Christians. The legendary Archbishop Turpin in the Chanson de Roland is a striking example of the warrior priest. His authority is high in Church circles for he exercises jurisdiction over bishops (3667), abbots, monks, canons and priests (2955-2956). When the rearguard forms (799), he comes forward offering his services: "Jo irai par mon chef!" He arms himself like any other knight, and his single combats are as impressive as those of the Twelve Peers. Before him fall Corsabilis, the magician Siglorel, Abisme, and Malquidant. Just before his death from the wounds from four spears, he makes a prodigious clearing around him, killing four hundred pagans and having his horse cut from beneath him. Such are the activities of a chrestien of the chansons de geste.

Nor does Turpin fail in his clerical duties: He sermonizes the army before and during the battle and encourages Roland to bring the bodies of the

Twelve Peers before him for absolution and blessing (2182ff.). The scene of his death shows the admiration which the poet had for him. He dies to the accomplishment of his sacred calling, but yet as a warrior:

> Le poete a illumine toute la scène d'un reflet religieux, l'a impregnée d'une grandeur grave et solennelle. Il l'a placée sous le signe de la charité: charité de la bénédiction collective, charité particulière (Turpin hâte sa mort en voulant secourir Roland évanoui).[1]

He loses his composure only at the last breath as he falls to the ground crossing his arms on his chest with the serenity of a tomb effigy, his last thoughts being of his maker. The brief epitaph by the poet eulogizes him as priest and warrior:

> (Morz est Turpin, le guerreier Charlun.)
> Par granz batailles e par mult bels sermons,
> Cuntre païens fut tuz tens campiuns. Deus
> li otreit (la sue) seinte beneïçun! (2242-2245).[2]

Thus lived and died an admired churchman, an example to all Christianity, a <u>chrestïen</u>, as

1 J. Horrent, <u>La Chanson de Roland dans les Littératures Française et Espagnole au Moyen</u> Age, Paris, 1951, p.267.

2 If the author of the <u>Chanson de Roland</u> was Turold de Fecamp, he too would have been a soldier-priest. See M. de Riquer, <u>Les Chansons de Geste Françaises</u>, Paris, 1957, pp. 110,115, 116.

understood by the chansons de geste.[1]

Protection of the weak and infirm by the knight is not stressed in the chansons de geste,[2] but we do find the principle mentioned in a speech by Charlemagne to his son, Louis:

> Envers les povres te dois luimeiler
> Et si lor doiz aidier et conseillier[3]

He advises his son not to rob orphans of their fiefs, nor widows of their silver:

1 The twelfth century clerics could not allow this great archbishop to die at the dolorous rout of Roncevaux. They pretended that he escaped and lived with great popularity in the pages of the Chronique of the Pseudo-Turpin. See J. Bédier, Les Légendes Epiques, III, Paris, 1921, pp. 42-111.

2 Indeed, Guibourc in the Chanson de Guillaume and Aliscans is scarcely representative of the weaker sex: she is quite capable of fighting her own battles. In the Chanson de Guillaume she assembles an army of 30,000 men (l.1233), while in Aliscans she and other ladies of Orange maintain the final pocket of resistance against the Saracens, as Guillaume returns to the city to her aid. (3950ff.)

3 Couronnement Looys, ed. Jonckbloet, La Haye, 1854, l.183-184. The wording is somewhat different in the E. Langlois edition, Le Couronnement de Louis (Société des Anciens Textes Français), Paris, 1888, l.182-184, but the sentiment is the same.

"He! Looys, dist Karles, sire filz
Tu aras tot mon roiaume a tenir.
Par tel covent le puisses retenir
Qu'a hoir enfant ja son droit ne tolir,
N'a veve fame vaillant un angevin."[1]

This theme of protection of the weak is contained in an early eleventh century prayer said at the benediction of a knight:

"Exaudi, Domine, preces nostras quatenus esse possit defensor ecclesiarum, viduarum, orphanorum omniumque Deo servientium contra saevitiam paganorum atque hereticorum"[2]

Such a spirit of tenderness is little in keeping with the virile tone of the chansons de geste, but we do find an attempt at such compassion in the Chanson de Roland as Bramimonde is accepted into the Christian faith (3987) and more particularly in the scene concerning Aude. This helpless maiden comes before the king bewailing the loss of her lover, Roland. In an awkward attempt at atonement, Charles offers her his son as a replacement (3714-3715), whom she refuses.[3] At her death, she is served with the greatest reverence:

Quatre cuntesses sempres i ad mandees.
A un muster de nuneins est portee:
La noit la guaitent entresqu'a l'ajurnee.
Lunc un alter belement l'enterrerent. (3729-3732)

1 Ibid. ed. Jonckbloet, l.152-156.

2 "De Benedictione novi Militis," D. Martène, op.cit., p.667.

3 "Rien n'est plus émouvant que la naïve barbarie"

But the mere fact of Charles' awkwardness at the interview attests to the infrequency of gentle acts, or to the few occasions to carry them out, among the knights of the Holy Cross.[1]

In addition to loving the Church, the Christian knight was expected to love his native land. The frequency of references to "sweet France" in the Chanson de Roland is a sure indication that France was loved,[2] although the area designated by this term sometimes includes Bavaria and other parts of Germany, Normandy, Brittany, Poitou, Auvergne, Flanders, Lorraine and Burgundy, (the territory of Charlemagne's Empire); while at other times it is restricted to mean the royal domain before the time of Philip Augustus.[3] Writing on this patriotic

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of Charlemagne's chivalrous attempts at consolation. See Gaston Paris, Histoire poétique de Charlemagne, Paris, 1861, p.351.

1 Contrast this state with that of the Castillian epic Cantar de Mío Cid

2 France is named 170 times in the Chansons de Roland (Oxford ed.). A similar patriotism is found in Homer, Virgil and in the Poem of the Cid.

3 See remarks by Léon Gautier, La Chanson de Roland, éd. 12e, Tours, 1882, p.6, also Léon Gautier, L'Idée politque dans les Chansons de Geste, Revue des Questions Historiques, t. VII, 1869, p.84.

topic, Reclus says:

> ...Douce France et Terre major étaient déjà célébrées dans les quatre mille decasyllabes de la Chanson de Roland, poème français qui sort d'une âme epique et tragique...Le même cri d'amour, d'enthousiasme et d'orgueil traverse nos autres poèmes de chevalerie...Pour ces interminables conteurs...la patrie est toujours Douce France, le plus gai pays, et Terre Major, le plus grand royaume.[1]

--an indication of the ubiquity of the nostalgic sentiment among the epic poets and ballad writers.

A similar patriotic spirit is found at the beginning of Couronnement Louis (l.11ff). The poem relates that when God founded a hundred kingdoms, the best was gentle France. The first king that he sent was crowned by the order of his angels. Since the time of Charlemagne, all lands centre around France: Bavaria, Germany, Burgundy, Lorraine, Lombardy, Poitou, and Gascony as far as the Spanish marches. But the king who wears the golden crown of France has the duty of being brave and of leading an army a hundred thousand strong through the"ports d'Espagne." If he does not fulfil this duty, France has been dishonoured and betrayed. Such a proud patriotism

1 Onésime Reclus, France, Algérie et Colonies, 1880, Paris, pp.1-3.

is found in the opening lines of Saisnes, another poem of the medieval era.[1] Recitations of these sentiments would doubtlessly have produced enthusiastic approval among twelfth century audiences.

Occasionally, the whole spirit of a country becomes the embodiment of a single chrestien. We find this tendency in the case of Vivien and even more strikingly with Roland. Roland is an anthropomorphism of France.[2] Nothing happens to Roland that does not happen to France. He prepares for battle, and France waits expectantly. If he is victorious, she explodes with joy; if he is defeated, she weeps and dies of grief. From the moment when the disaster of Roncevaux begins, a grief comes over the land of France, which trembles as at the death of Christ:

En France en ad mult merveillus turment (1423). Storms rage, thunder rolls, and winds blow from St. Michel du Péril to Xanten in Westphalia from Besançon to Wissant. At midday, the country is in darkness, and people fear that the end of the

1 A poem that relates Charles' battles with the Saxons in Germany.

2 A strongly Christian country. See Roland, "le chretien," F. Th. A. Voigt, Roland-Orlando dans l'Epopee francaise et italienne. Leiden, 1938, p.17.

world has come. But:

> Ço est li granz dulors por la mort de Rollant[1] (1427).

As he fights his losing battle, Roland thinks only of his Emperor and of France. At each sweep of his sword he asks himself: What will France say? And the honour of his family concerns him less than the honour of his country. If he imprudently refuses to sound his horn, it is solely because of France.

> "Ne placet Damnedeu
> Que mi parent pur mei seient blasmet
> Ne France dulce ja cheet en viltet! (1062-1064).

As he fights, "France" is on his lips; when the Christian barons are dead, the same name is on his lips:

> Tere de France, mult estes dulz païs (1861).

and as he dies, he is once more a proud Frenchman--

> De plusurs choses a remembrer li prist: (2377).
> ...De dulce France, des humes de sun lign,
> De Charlemagne, sun seignor, kil nurrit.
> (2379-2380).

-- a glorious ideal of patriotism.

The leaders, however, are not alone in their love of France; the noble barons appear in the same light, which makes them appear as a chosen

1 Compare Matthew XXVII, verse 45. "Now from the sixth hour there was darkness over all the land unto the ninth hour." Verse 51, "...and the earth did quake and the rocks rent."

race. In the enumeration of Charlemagne's forces facing Baligant we find the tenth column made up of French barons -- a hundred thousand captains proud of mien and eager for battle (3084-3092). They evoke the love of Charles and the pride of Roland who exclaims about the French:

Franceis sunt bon, si ferrunt vassalment (1080).

In spite of their singleness of purpose and deep devotion to their country, they nevertheless anticipate the gay aspect of a Cyrano de Bergerac.[1] This debonnair touch helps to alleviate the grim responsibility in the bearing of the French. It is because of this French devotion to God and country, that we find Pope Gregory IX issuing the following bull:

> "...sicut tribus Juda inter filios Patriarchae ad specialis benedictionis dona suscripitur, sic regnum Franciae, prae ceteris terrarum populis praerogativa honoris et gratiae insignitur."[2]

This acknowledges the French as being true <u>chrestiens</u>.

1 Roland, for example, "Cors ad gaillard..." (2895). See also lines 3086 and 3115.

2 Bull of Gregory IX, Anagni, 21 Oct. 1239. Quoted by L. Gautier, <u>La Chevalerie</u>, Paris, 1883, p.p.65,66.

In reading of the deeds of Roland, Olivier, Guillaume, Vivien, and the other heroes, one becomes aware of a feeling of enjoyment, or at least an appreciation of the fine art of battle in the mind of the combat ants, which makes the commandment, thou shalt not retreat in the face of the enemy, almost an unnecessary absurdity in the case of the chrestien of the chansons de geste. This native admiration for the finer points of war appears at the height of the Battle of Roncevaux, as a small group of Christians face hundreds of thousands of pagans. On this plain, covered with dead and dying, the French find time to admire an adept lance-thrust or sword stroke. After Roland's fine death blow upon Grundoigne,

> Dient Franceis: "Ben fiert nostre guarent!" (1652).

-- with the appreciation of a fencing master viewing an accomplished pupil. To such men, fighting is an art. We see the same attitude in the young Vivien who, gasping and dying, gathers up his torn intestines and hurls himself once more into the heat of battle and into the arms of death.[1]

1 Covenant Vivien, lines 1850-1854 (ed. A.L. Terracher, La Tradition manuscrite de la Chevalerie Vivien, Paris, 1912).

The Frankish aristocrat prized personal bravery, physical strength, and skill in the use of arms. As warfare is the chief occupation of the knights of the chansons de geste it is quite natural that they value the traits which make a man an effective soldier. Prowess is the collective term which we may apply to these traits. "Soyez preux" was the moral advice given to a young man as he was dubbed knight,[1] and preux became the indispensable quality of the chrestien of the chansons de geste. The word preux[2] occurs frequently in the old epics[3] and is translated "brave, heroic"[4] "worthy, valiant"[5] "preux"[6] "prudent, sage, loyal; vaillant, preux"[7] "tüchtig" aus vlat. prode "Vorteil", (profit) das in der Vulgata und später belegt ist; dieses ist aus lat. "prodest, prodesse"

1 Léon Gautier, op.cit. p.285.

2 Alternatively written as prod, prot, proz, prouz.

3 e.g. Chanson de Roland ll. 172,1003,1209,1441, 1723, and Chanson de Guillaume, lines 8, 450, 1269,1271,1438,1710,2134,2177,2363,3180,3268.

4 T.A. Jenkins, op.cit. p.327.

5 F. Whitehead op.cit. p.157.

6 D. McMillan, op.cit. p.179.

7 R. Grandsaignes d'Hauterive, op.cit. p.481.

vorteil-haft sein.[1] This adjective is frequently combined with (h)om(e) to form prodome,[2] and has the meaning of "valiant man, sagacious man",[3] "man of worth, man of valour",[4] "prudhomme",[5] "homme sage, loyal"[6] "tüchtiger Mensch".[7]

Roland, one of the heroes of the Chanson de Roland, is naturally preux:

Rollant est proz e Oliver est sage (1093).

which Bédier translates as "Roland est preux et Olivier sage".[8] But the poet is objective enough to apply the epithet to the side opposing Charles's cause.[9] In the Chanson de Guillaume, the man who

1 E. Gamillscheg, op.cit. p.718.

2 Variations being prot d'ome, proz d'ome, proz d'om, proz d'oem, prodome, prozdome, prodom.

3 T.A. Jenkins, op.cit. p.357.

4 F. Whitehead, op.cit. p.157.

5 D. McMillan, op.cit. p.179.

6 R. Grandsaignes d'Hauterive, op.cit. p.481.

7 "Die Zusammensetzung prouz d'homme (12 Jhdt.) wurde preud'homme Ehrenmann", (a gentleman), E. Gamillscheg, op.cit. p.718.

8 J. Bédier, op.cit. p.95.

9 For example: Blancandrin, line 26, Pinabel, line 3875, Chanson de Roland.

flees the enemy is denied the name prodome, and the term is applied exclusively to those who remain fighting.[1]

Hence, the Christian prodome in our context is brave, loyal to his cause and to his lord, and faithful to his word. His merits also include religious devotion, even if, as in the case of Blancandrin, he be an infidel.[2] To call a nobleman a prodome was to pay him one of the highest compliments known to the Middle Ages.

Such valiance is encouraged by the Christian's preconditioning in hatred for the infidel -- the epic motive force.

> "C'est la haine du païen qui anime le plus grand nombre de nos vieilles chansons; c'est le souffle de nos croisades qui les échauffe."[3]

To the knights of our chansons, only two types of men exist: Christians and pagans. In the Chanson de Guillaume, Guibourc says of Vivien:

> "En païsnisme n'en la crestïente
> Meldre vassal ne pout estre ne."[4] (lines 1374-1375).

1 See the speech by Girard to the cowards Tiebaut and Esturmi on the fate of Vivien and his barons, Lines 425-7, La Chanson de Guillaume.

2 See note by Jenkins, op.cit. p.6.

3 Léon Gautier, op.cit. p.70.

4 This same idea is found in lines 1600,1490,2189-90,2230,3031.

He who is not a Christian is a pagan -- the divisioning is as simple as that. Each of our epics ends with the capture of an infidel city; and the three culminating points of French epic poetry are at Aliscans, Roncevaux and Jerusalem -- two defeats and a victory, where in each case the Christians face the Saracens.

> Il se combatent as Turcs et as païens
> Et souvent sont en lor sanc batisie.[1]

These two lines characterise and sum up the attitude of the true Christian knights in the Old French epics. Unrelenting pagans are killed, the remainder baptised.

This attitude was necessary historically, for the Moors in their zeal once had penetrated as far as Poitiers and Toulouse, and in 795, they almost became masters of the Midi of France. In the ninth century, they still infested the South coast of France, and threatened the country's independence. Only a strong sense of nationalism and religiosity on the part of the defenders would suffice to free Europe of the infidel threat.

1 Le Moniage Guillaume (ed. Wilhelm Cloëtta, Société des Anciens Textes Français, Paris, 1906), lines 514,517.

In addition to his duties to his country and to his religion, the Christian knight owed certain obligations to his feudal lord. This obedience was in every way as strict as the knight's observance of his other duties.

The feudal system has sometimes been regarded as a near ideal situation in which the poor and the weak received the protection of the powerful lord in return for certain services rendered.[1] However, on closer inspection, the state of affairs often comes very close to slavery, or perhaps "organized anarchy",[2] particularly when viewed in the light of the contract that bound the farmer to his master.[3] However, when we view the precarious situation existing in France during

1 See S. Painter, French Chivalry, Baltimore, 1940, pp.5,6,39.

2 W.S. Davis, Life on a Medieval Barony, N.Y. and London, 1923, p.149. Joseph R. Strayter, Western Europe in the Middle Ages, N.Y., 1955, p.60 calls it "...the rule of bosses (or lords) and their gangs (or vassals)."

3 See M. Bloch, "Le paradoxe de la vassalité," La Société féodale No. 34, Paris, 1949, pp.354ff.

the ninth century, for instance, we begin to realize that a tightly-knit system of interdependence was almost the only practical means of survival among so many vicissitudes.[1] Powerful leadership was non-existent. The central power would lose its head, or abdicate, and a hoard of claimants would immediately grasp at the reins of leadership. Norman incursions were taking place to the north, while the Moors were harrying the maritime peoples of the Midi. German unrest existed to the north-east, and barbarism threatened to descend with its accompanying horrors and sufferings. It was at this time that the weak approached the strong with cries of help; and feudalism arose. It smacks little of the divine and perfect, but by force of circumstances, it was necessary.[2]

It is not difficult to realize that protection from the strong was not accorded gratuitously. The underling swore his faithfulness and obedience until death:

1 In its beginnings, however, feudalism was not even "tightly-knit" -- see J.R. Strayter, op.cit. p.63.

2 The poets of the chansons de geste correctly present a feudal structure among the pagans, naming the "Emir" or "Amiral" as high officials.

"Sire, che dit li leres, por Dieu que jou
aour,
Je deving vostre hon liges, demain avra
quart jor.
Par saint Denis de Franche miex voil morir
o vos
Entre gent sarrasine et souffrir grant dolor
Que repairier en France a joie et a baudor."[1]

Such a devotion by a vassal for his seigneur is blind, and makes a man into a pawn at the whim of the master, be he a god or a devil.[2] However, a more intelligent oath of allegiance is found in the historical capitularies issued by Charlemagne:

"Je promets à compter de ce jour, d'être
fidèle au Seigneur Charles, très pieux
empereur, fils du roi Pépin et de la reine
Berthe, sincèrement sans fraude ni mal
engin et pour l'honneur de son royaume,
comme par droit un homme le doit à son
seigneur et maître. Que Dieu et les saints,
dont leurs reliques sont ici, me protègent;
car tous les jours de ma vie, de toute ma
volonté et de toute l'intelligence que Dieu
me donnera, je m'y emploierai et m'y consacrerai."[3]

1 Elie de Saint Giles, 1.ed., G. Raynaud, Paris, 1879, v. 1354-1358.

2 See the account of one seigneur who playfully tore out his own children's eyes. W.S. Davis, op.cit. p.152.

3 Capit. t.I. No.34 quoted from Capitularia Regum Francorum, edited by Borelius and Krause, Hanovre, 1837, p.101.

This oath, whose demands are similar to those still found in today's Canadian military oath, bound to the Emperor every male individual from the age of twelve years. It is less severe than the poetic one quoted previously perhaps because it is more military and less feudal in nature.

According to Orderic Vitalis, writing on the twelfth century, violation of parole or solemn promise was exceedingly rare. He quotes William Rufus as saying:

> "Far from me would it be to believe that an honest knight would violate his parole. If he did, he would be forever an object of contempt as a man outside the law."[1]

While this was a state of affairs existing in Great Britain, there is little reason to believe that the situation was any different in France.

In connection with the feudal aspect of the chrestien knight's duties, we find the terms (h)onor and co(u)rteis. (H)onor often has the meaning of "feudal rank or office",[2] "honourable privilege, honourable distinction or renown enjoyed

1 Orderici Vitalis, Historiae ecclesiasticae (ed. Auguste le Prevost, Société de l'Histoire de France, Paris, 1838-55), IV, p.49.

2 T.A. Jenkins, op.cit. p.350.

by a person",[1] and is used with this connotation in the Chanson de Roland:

A lui lais jo mes honurs e mes fieus[2] (315).

It might also refer to a "land-estate conferred by an overlord"[3] "fief, bénéfice féodal"[4], "Terre noble, domaine"[5], and is used quite frequently in this context.[6] From these meanings we get a mode of behaviour fitting a person who held a feudal office or a domaine. His actions were expected to show "honneur"[7], "Ehre"[8]; "faire de belles actions, les marques, les attributs de la dignité."[9]

1 F. Whitehead, op.cit. p.149.

2 J. Bédier disagrees, however. He translates, (op.cit. p.29): "C'est à lui que je lègue mes terres et mes fiefs."

3 T.A. Jenkins, op.cit. p.351. See also K. -J. Hollyman, Le Développement du Vocabulaire féodal en France pendant le Haut Moyen Age, Genève et Paris, 1957, p.33ff.

4 Fredéric Godefroy, Lexique de l'Ancien Français, Paris, 1901, p.27.

5 D'Hauterive, op.cit. p.441.

6 For example, Chanson de Roland, lines 820, 2833, 3181, 3733.

7 D'Hauterive, op.cit. p.441.

8 Tobler-Lommatzsch, op.cit. p.571: "12. Jhdt. afrz. 'enour' aus lat. honore."

9 F. Godefroy, op.cit. p.277: "faire son honneur."

At the court of his lord, the knight's behaviour was expected to be in accordance with the manners displayed at such gatherings. He was expected to be corteis: "refined in manners, courtly"[1], "höfisch gebildet"[2], and reveal cortoisie: "service gracieux"[3], "höfische Bildung"[4]. In this sense we find it used in the Chanson de Roland:

E Oliver, li proz e li curteis (576,3755).

Slowly the meaning broadened until it came to mean "huma ne, passionate"[5], and was a directive to the knight's comportment in general, referred to in this way in the Chanson de Roland:

Icels d'alverne (ne) i sunt li plus curteis (3796).

Hence, a knight's behaviour was expected to be laudatory and exemplary both at court and away from it -- rather an idealistic expectation from

1 T.A. Jenkins, op.cit. p.306.

2 Tobler-Lommatzsch, op.cit. col.921.

3 F. Godefroy, op.cit. p.106 Courtoisie "un mot qui est un des plus beaux de notre langue" L. Gautier, op.cit. p.132.

4 Tobler-Lommatzsch, op.cit. col.922.

5 T.A. Jenkins, op.cit. p.306.

a milieu which did not always exhibit such qualities.[1]

However, examples of corteis behaviour are to be found in the chansons de gestes. For instance, when Gaydon has cut off the head of his opponent in a duel, he lays two swords crosswise on his foe's body. This moves the Emperor Charles to cry "Ha! God, how courteous this duke is!"[2] Again, in Raoul de Cambrai Bernier, by devious means, persuades his enemy to step naked into a fountain while he himself stands by armed. Yet he refuses to kill the man.[3] This courtly behaviour may then be contrasted with the ethics of the pagan caliph who has no qualms when it comes to striking Olivier a mortal blow in the back during the Battle of Roncevaux as related in the Chanson de Roland.[4]

1 For corteis in a wider context see K.-J. Hollyman, Le Développement du Vocabulaire Féodal en France pendant le Haut Moyen Age, Genève et Paris, 1957, p.163.

2 Gaydon,(ed. F.Guessard and S. Luce, Les Anciens Poètes de la France, Paris, 1862,)pp.55-56, (my translation).

3 Raoul de Cambrai,(ed. P. Meyer and A. Longnon, Société des Anciens Textes Français, Paris, 1882) p.256. For the opposite of corteis see chapter on païen page 163.

4 Line 1945.

The chivalric code may be considered a tempering influence on feudal harshness, although it brought further duties in the form of the Holy War upon vassals. It is to be hoped that the power of the Christian doctrines upon lords improved the lots of their subordinates.[1] However, the authority of the Church was extremely limited at the outset, and had to be used discreetly, since it constituted a threat to the absolute power of the feudal baron. Perhaps we can say that it introduced the concept of mesure, which we find advocated by Odilon on his death-bed to his nephew, Girart de Roussillon, whom he wishes to reconcile with Charles. "Observez toujours mesure et sens; aimez votre seigneur et soyez-lui fidèle," says he.[2]

This notion of mesure was an important one among Christian knights, for the soldier whose religious zeal was too driving was often accused of "desmesure". Mesure may be defined as "moderation,

1 S. Painter, French Chivalry, Baltimore, 1940, p.94, thinks not. He believes that the behaviour of the nobility as a whole was not changed by the introduction of Christian ideals.

2 Girart de Roussillon, trad. Paul Meyer, str.180, p.101, Paris, 1884.

avoidance of extremes"[1],"modération, prudence (Etym. mesurer)"[2] "accommodement, compromis, ménagement",[3] "Masse, 12 Jhdt. aus lat. mensura"[4] while "desmesure", its opposite, is noted as meaning: "manque de mesure; orgueil, arrogance, Etym. Des (de-ex), mesure"[5] "excès, outre mesure, à l'exces, dans un sens favorable ou défavorable, arrogance, outrecuidance"[6], "desmesurer la mesure: das Mass über-schreiten"[7], and "demesure": "Qui a franchi les bornes de la raison, de la vertu, de la justice, orgueilleux, à l'excès, arrogant",[8] "übermässig, von afrz 'desmesurer' über das richtige Mass hinaus-gehen, sich masslos hingeben",[9] "masslos"[10]

1 T.A. Jenkins, op.cit. p.344.

2 R. Grandsaignes d'Hauterive, op.cit. p.414.

3 Fréderic Godefroy, op.cit. p.334.

4 E. Gamillscheg, op.cit. p.609.

5 R.G. d'Hauterive, op.cit. p.172.

6 F. Godefroy, op.cit. p.135.

7 Tobler-Lommatzsch, op.cit. col.1650, Band II.

8 F. Godefroy, op.cit. p.135.

9 E. Gamillscheg, op.cit. p.304.

10 Tobler-Lommatzsch, op.cit. Band II, col.1651.

Olivier accuses Roland of "démesure" at Roncevaux:

> Kar vasselage par sens nen est folie
> Mielz valt mesure que ne fait estultie.
> Franceis sunt morz par vostre legerie.(1724-26)
> Vostre proecce,[1] Rollant, mar la ve(r)mes (1731)
> Vos i murrez e France en ert (...)hunie. (1734)

which Cohen translates: "Vaillance sensée n'est point folie--Moderation vaut mieux qu'outrecuidance. --Français sont morts par votre faute.--Votre prouesse, c'est pour notre malheur que nous l'avons vue! --Vous en mourrez et France en recevra honte."[2] This example of "desmesure" (the word is not expressly used) is justifiably condemned by the <u>sage</u> chevalier. Such an excess of pride, called "hybris" by the Greeks, was thought to bring with it divine punishment.[3] Jenkins explains Olivier's charge by saying that the spirit of mad adventure is something very different from courage coupled with good sense,[4] thus supporting the Aristotelian

1 This word should read <u>proesce</u> or <u>proeçce</u>.

2 G. Cohen, <u>Histoire de la Chevalerie en France au Moyen Age</u>, Paris, 1949, p.64.

3 G. Cohen, ibid, does not think that Roland should be classified with the "chevaliers desrées" of the <u>Doon de Mayence</u>.

4 T.A. Jenkins, op.cit. p.131, Note.

formula for right action through the doctrine of the mean. This doctrine teaches that in any situation, there is one degree of the naturally appropriate emotion which is correct. Vice consists of exhibiting too much or too little of it. Fear is the appropriate reaction to danger: too much is cowardice; too little is foolhardiness; the right amount is courage. Roland's stubbornness makes his conduct foolhardy, which results in Olivier's condemnation in accordance with Aristotle's mean.

Many years after Roncevaux, Eustache Deschamps ascribed the whole disaster of the rearguard's defeat to "folie", the same "folie" that prompted Eve and Adam. He declared that Charlemagne lived for only three years after the massacre to deplore the loss of his most valued men.[1]

The legerie with which Olivier charges Roland is not the mark of a good knight. Cohen calls it a "faute", Bédier "légèreté"[2], d'Hauterive "legerie"[3], Whitehead "piece of recklessness"[4], and Jenkins

1 Oeuvres complètes d'Eustache Deschamps, vol.IX, ed. Gaston Raynard, Paris, 1894, pp.356-357. Note particularly line 11,101.

2 J. Bédier, op.cit. p.145.

3 d'Hauterive, op.cit. p.378.

4 F. Whitehead, op.cit. p.151.

"recklessness, heedlessness"[1],"an imprudent action, inspired at times by arrogance, at others by mere vivacity of spirits."[2]

A series of poems in the "Cycle de Guillaume" give us a good contrast between the knight who is controlled by mesure and the one characterized by desmesure: Guillaume and Vivien respectively. The situation begins in the scene where Vivien is dubbed and dedicated in the Chevalerie Vivien[3] by his uncle Guillaume. In this solemn ceremony Vivien swears never to retreat in the face of the enemy. Guillaume advises him against such rashness, and tells him not to hesitate to withdraw if odds are too unequal. Vivien will not listen to these wise words, and in the joy and pride of his dubbing, intensifies his vow: he will not withdraw one single foot in the face of the enemy:

> Por Sarrasin, por Turc ne por Persant
> Ne fuirai ge ja mais en mon vivant
> Plain piet de terre par lou mien escient;
> Tant le met ge vers Deu en covenant.[4] (39-42).

1 T.A. Jenkins, op.cit. p.377.

2 T.A. Jenkins, op.cit. p.131.

3 Edited by A.L. Terracher, Paris, 1909, lines 7-47.

4 Other texts support this extreme vow; the Enfances Vivien, (ed. Wahlung and Feilitzen) lines 2200-2217 quoted by J. Frappier, Les Chansons de Geste, Paris, 1955, p.283, and Aymeri de Narbonne,

Guillaume grows sad at this haughty oath and assures the lad that he will be certainly killed by the Saracens.

Thus prepared Vivien is eager for battle and the glorification of the Christian faith. He assembles ten thousand young companions, gleaming in their new armour, and rides into Spain where he spends seven years of holy warrings, devastating the land and massacring women and children.[1] Finally, he incurs the wrath of the Saracen king, Déramé, by sending him a boat-load of horribly mutilated Saracen merchants, and makes his way to Archamp with ten thousand men[2]. Here,

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(ed. Demaison, lines 4534-4544, also quoted by J. Frappier, op.cit. p.283.) mention "une lance 'ne plain pie mesure'".

1 "Tuent les meres, s'ocïent les enfens," Chevalerie Vivien, ed. A.-L. Terracher, of manuscript of Barcelona, Paris, 1912, line 63.

2 Cruel treatment of prisoners was common in Europe during this era. For example, see the accounts by R. Menendez-Pidal, La España del Cid, 5th. edition, Madrid, 1956, pp.35-36, and H. Daniel-Rops, Cathedral and Crusade, Studies of the Medieval Church, London and New York, 1957, p.489. The Cid seems to be an exception, however. His biography by Ben Alcama contains no reference to cruel treatment of prisoners.

in spite of warnings by wiser counsellors, Gerart for example, he commits further acts of "démesure", announces a preference for a death while still young (696-706), and accomplishes this predilection, still the violent, unrelenting hero.

The poem Aliscans gives another account of Vivien's actions at Archamp. Guillaume is present, but when he finds the enemy numbers too strong, he flees (534). Vivien also withdraws (84), but, realizing he has broken his vow, returns accompanied by a faithful group of followers, all of whom are killed or captured. He is left for dead, and is later found by Guillaume who hears his final confession. He dies, not knowing whether he has remained faithful to his vow or not.

> "Mais une gente me fist retourner
> Ne sai com lonc, car ne le puis esmer;
> Je criem, mon veu ne m'aient fait fausser."[1]

These poems, La Chevalerie Vivien and Aliscans, both show us the "démesure" of the young knight in contrast with the wiser behaviour of his more mature uncle. Guillaume advises the youth against his rash oath, withdraws wisely before overwhelming

1 Aliscans, edited by F. Guessard and A. de Montaiglon, Paris, 1870, lines 854-856.

odds, and lives to fight further battles for Christianity:

> Molt par fu sages, car bien savoit fuir
> Et ou besoig trestorner et guencir. (Aliscans, 620-1).

Vivien, on the other hand fights with "démesure" and dies as a result. This ebullience is explained --but not excused--by his youth:

> ...le drame de Vivien est...celui de la jeunesse enivrée d'elle-même. Il a quinze ans (1)...il est l'enfes, L'enfant, l'adolescent, et ce terme, où se mêlent l'admiration, la tendresse et la pitié, le désignera encore à l'heure de son combat suprême: par exemple, le vers 1811, La Chevalerie Vivien: 'L'anfes nel vit, car il est avugleis.'[2]

Thus we have a battle during the course of which Tiebaut and Esturmi flee cowardly from the enemy,[3] Guillaume withdraws wisely, and Vivien remains rashly. Guillaume alone practises mesure,

1 Chevalier Vivien in the manuscript of Boulogne, edition quoted, lines 285-6 says "n'a mie XXII ans passes" and "n'a encore que VII ans que il fu adoubes."

2 J. Frappier, op.cit. p.284. Aliscans, ed. quoted, also calls him "enfant", lines 629,762,812.

3 These are the two Christian leaders mentioned just before the battle, Chanson de Guillaume, ed. quoted, line 281.

and is consequently applauded for the right amount of courage. Tiebaut and Esturmi are condemned for cowardice, and Vivien for foolhardiness.

Knowing the dangers of "démesure",[1] Charlemagne expressly warns his son, Louis, against vice.

"Ne desmesure lever ne esalcier"[2] (80).

It would seem that Roland received no such warning, and in his method of comportment shows himself to be inferior to Olivier, his companion-in-arms at Roncevaux.[3]

Although he is the shining personification of mesure in our oldest chansons de gestes, Guillaume, the protector of the Kings of France, in Couronnement Louis shows at least one instance when his behaviour sorely strains the bounds of mesure. He is in church on his wedding day. The service has reached the point at which the fiancé

1 One of which is punishment by God, see G. Cohen, op. cit. p.19.

2 Li Coronemenz Looïs, ed. E. Langlois, Paris, 1888, line 81.

3 The notion of mesure was present in the mind of the writer of Poema de Mío Cid. The poetic Cid abstains from desmesure, but not so his historical model. See R. Menendez-Pidal, op.cit. V. II, p.617.

tenders his ring to his beloved, when suddenly a haggard messenger enters the church with the news that the emperor is in danger. Hearing such disastrous news, Guillaume abandons altar, priest, and fiancée, never to see her again. He leaves, but with a broken heart:

> Guillaumes bese la dame o le vis cler
> Et ele lui: ne cesse de plorer
> Par tel covent einsi son dessevre
> Puis ne se virent en trestot lor ae (1403-1406).

Admittedly, some barons act against their lord, as in the case of Ganelon, but in each case the law eventually prevails.[1] The shame that is attached to the breaking of the feudal vow grows out of the fact that the knight has not remained faithful to his given word. This concept bears a close resemblance to the commandment forbidding the bearing of false witness,[2]

1 In Renaus de Montauban, for instance, 4,700 knights, bare-headed, bare-footed, and in their shirts, make their way to Charlemagne's tent, against whom they had revolted. Among them are Girart de Roussillon, Beuves d'Aigrement, Aimon and Doon. On the appearance of the King, they kneel and tearfully swear never again to foresake their lord. Renaus de Montauben, ed. H. Michelant, Stuttgart, 1862, p.38. line 9ff. On the devotion of the vassal to his seigneur, see Girart de Rousillon, (ed. P. Meyer), str. 40.p.19ff. and str.136, p.74-5.

2 Exodus, XX,16.

a precept which Ganelon claims he observed,[1] and which is followed by the Saracen Cornumarant[2] who gave his word upon a three-day truce which he observed although it was to his military disadvantage:

> "...Ma foi en ai plevie
> Miex volroi estre mors que ele fust mentie."
> (5915-5916).

Finally, the soldier of God was expected to combat evil and to defend the right. We see this exemplified in the behaviour of Charles and his knights in the Chanson de Roland. They begin with the assumption that Christianity constitutes the right, and that every institution that opposes the holy precepts is evil. Hence Roland and his companions fight in the knowledge that they are defending the right against evil Saracen inroads. Their principles extend even to the point of putting to the sword those unbelievers who remain faithful to the pagan faiths. The principle of charity is replaced by liberality which allows the Christian to offer a new way of life to the conquered enemy, but to kill him if he refuses to accept the conditions set before him. Guillaume and Vivien

1 Chanson de Roland, lines 3757-3760.

2 In the Voyage à Jerusalem, ed. Hippeau, Paris, 1868.

both support the Christian cause against pagan evil, but some minor characters of the Chanson de Guillaume[1] flee the battlefield when they realize the unfavourable odds facing them. The divine retribution that swiftly follows upon their heels indicates to the still-faithful ones that the Christian path of chivalric obedience is the only sure way to Paradise.

The knight's duty of defending the right also extended into defending those principles of feudalism by which he was bound, providing always that such a defence did not contravene any divine pronouncement made by the Church. In this way, the knight was bound by two laws, or leis, the Christian and the secular. The use of the term lei, and its adjective leial in the Chanson de Roland illustrates this double significance.

The two terms developed from the Latin "lege" and "legale".[2] "Lege" or its nominative form "lex" means "jus scriptum; lex Christiana".[3]

1 For example Tiebaut and Esturmi.

2 T.A. Jenkins, op.cit. pp.377,378.

3 W.-H. Maigne d'Arnis, Lexicon manuale ad scriptores mediae et infimae latinitatis, Paris, 1890, p.1287.

Loi or lei is defined as "law, religion"[1] "law, faith, religion"[2], "religion, serment en justice, serment en géneral"[3], "Gesetz, Glaube"[4]. These definitions show the double meanings of the term. In Roland, we find the religious connotation. Blancandrin uses it when planning Marsilius' treacherous offer to Charlemagne:

"Si recevrez la lei de chrestïens" (38)

says he to his king. Bédier translates this line as "Que vous recevrez la loi des Chrétiens". Later, when he makes the same proposition to Charlemagne about Marsilius he says:

"Enquis ad mult la lei de salvetez" (126)

-- "Il s'est enquis de la loi qui sauve"[6]. This lei which Marsilius pretends to seek is the same one mentioned in Roland's eulogy of Turpin,

"Des les apostles ne fut hom tel prophete
Pur lei tenir e pur humes atraire (2255-2256)

--"Jamais, depuis les apôtres, il n'y eut tel prophète pour maintenir la loi et pour y attirer

1 T.A. Jenkins, op.cit. p.337.

2 F. Whitehead, op.cit. p.151.

3 F. Godefroy, op.cit. p.308.

4 E. Gamillscheg, op.cit. p.568.

5 J. Bédier, op.cit. p.7.

6 J. Bédier, op.cit. p.13.

les hommes."[1] Jenkins explains the term here as meaning the "lei de Rome", the Christian religion, or "la lei escrite", the Bible.[2]

However, this religious facet of the term is not applied exclusively to the Christian religion, it is also used with reference to the beliefs of the infidels. When Marsilius swears, in the presence of Ganelon, to kill Roland, he does so on the Koran:

> Marsilies fait porter un livre avant:
> La lei i fut Mahum e Tervagan. (610-611).

Bédier says of this book: "...la loi de Mahomet et de Tervagan y est écrite,"[3] and Jenkins: "...the (sacriligious) writings of Mohammed"[4]. This usage clearly applies to the "pagan bible", although the name Alcoran does not appear in French writings before the fourteenth century.[5] Again, when Charles harangues his men before the battle with Baligant, he says:

> "Veez paien: felun sunt e cuart.
> Tutes lor leis un dener ne lur valt."(3337-3338).

1 J. Bédier, op.cit. p.189.

2 T.A. Jenkins, op.cit. p.163. Note.

3 J. Bédier, op.cit. p.53.

4 T.A. Jenkins, op.cit. p.53.

5 See Jenkins' remarks, op.cit. p.53.

Here, the Emperor evaluates the pagan lei: "Toute leur loi ne leur vaut pas un denier"[1], thus showing his belief in the superiority of his own religious lei. Aliscans uses the term lei with the same application, where it is said of Guibourc:

Guibors fu sages de la loi sarrasine (4466).

The word has a more general meaning when used in a phrase like a lei de. Here it means "according to the rule or manner of"[2], "after the custom of, like"[3]. When Roland accepts command of the rearguard he addresses Ganelon "a lei de chevalier" (752) -- "in the manner of a true chevalier",[4] "comme un chevalier doit faire"[5]. The term is used with a plural noun as the Franks make ready for battle:

Adobez sunt a lei de chevalers (1143).

1 J. Bédier, op.cit. p.277.

2 T.A. Jenkins, op.cit. p.338.

3 F. Whitehead, op.cit. p.151.

4 T.A. Jenkins, op.cit. p.62.

5 J. Bédier, op.cit. p.65.

"Ils sont armés comme il convient à des chevaliers."[1] Roland laments Turpin "a la lei de sa terre"(2251), which Bédier translates, "selon la loi de sa terre"[2]. Finally, it is used with reference to the pagan King Corsabilis, who speaks to Marsilius "a lei de bon vassal" (887) -- "en vrai baron", translates Bédier[3].

The adjectival form of lei: leial, has a usage that retains both the secular and religious connotations. Its Latin predecessor, "legalis", is defined as "qui legem servat et fidem, loyal, fidel,"[4] while "loyal" means "gesetzmässig, aufrichtig, fromm",[5] and "loial" means "légal, légitime, de bonne qualité, fidèle, chrétien."[6] Jenkins translates leial, when used in the two following quotations as "loyal."[7]. In line 1735,

1 J. Bédier, op.cit. p.99.

2 J. Bédier, op.cit.p.189.

3 J. Bédier, op.cit.p.77.

4 E. Gamillscheg, op.cit. p.1275.

5 E. Gamillscheg, op.cit. p.573.

6 F. Godefroy, op.cit. p.308.

7 T.A. Jenkins, op.cit. p.338.

the French are referred to as "la leial cumpagnie" -- the "Loyal compagnonage".[1] In this instance, the term may mean loyal to Christian beliefs or loyal to Charlemagne, the legal or feudal lord. Later, however, the term is applied to the treacherous Ganelon:

S'il fust leials, ben resemblast barun (3764).

Bédier translates this line: "...s'il était loyal, on croirait voir un preux."[2] Here the reference is plainly to the traitor's feudal or national obligations rather than to his religious duties.

Hence we find the terms <u>lei</u> and <u>leial</u> referring to "lex scripta", which, by the eleventh century, had developed two distinct meanings -- the religious and the feudal. The words are thus used with reference peculiar to the duties of the warrior in Western Europe in the late eleventh century.

This brings us to the terms <u>chevaler</u> and <u>chevalerie</u>. The chevaler was a "knight"[3] or

1 J. Bédier, op.cit. p.147.

2 J. Bédier, op.cit. p.313.

3 F. Whitehead, op.cit. p.136. See <u>Chanson de Roland</u>, lines 25,99,2418,3890.

"Ritter"[1]: seigneur ayant un fief assez important pour lui permettre d'assurer son équipement à cheval...membre de certains ordres militaires et religieux."[2] who practised chevalerie, defined as "chivalrous exploit, knightly valour,"[3] "knightly virtue, action worthy of a true knight."[4] "Rittertum, Ritterwesen, Ritterlichkeit,...eine ritterliche Unternehmung...Kriegskunst,"[5] "institution militaire d'un caractère religieux et heroïque, établie dans la noblesse féodale, et imposant à ceux qu'on y admettait le mépris du danger, la loyauté, la protection des faibles, la courtoisie envers les femmes...seit 11. Jhdt. ...ensemble des qualités chevaleresques"[6], "la

1 Tobler-Lommatzsch, op.cit. col.356-357, Band II.

2 W. von Wartburg, op.cit. Band II, p.3. See also K.-J. Hollyman, op.cit. p.129ff.

3 F. Whitehead, op.cit. p.136. F.S. Shears, "The Chivalry of France", in Chivalry ed. E. Prestage, London, 1928, thinks the term used in Chanson de Roland refers "in the first place, to the physical qualities of a knight.", p.59.

4 T.A. Jenkins, op.cit. p.301.

5 Tobler-Lommatzsch, op.cit.col.356-357, Band II.

6 W. von Wartburg, op.cit. Band II, p.4.

forme chrétienne de la condition militaire."[1] This last quotation sums up the whole concept of chevalerie, which, broad as it is, is included under the still broader concept of crestïen, as set forth in the chansons de gestes.[2]

Léon Gautier examines the question: Comment fait-on les chevaliers? and relates the following ceremony.

> "La première condition pour être chevalier, c'est d'être chrétien; le bain est le premier de ces rites...Le novice sort du bain, déjà tout transfiguré et rayonnant, et est déposé sur un lit de parade...on se laisse habiller de vêtements blancs...le chrétien jette une robe de vermeille sur les épaules...le futur chevalier présente alors ses pieds restés nus aux mains de son professeur de chevalerie, et celui-ci les couvre avec des chausses noires...la ceinture est alors placée autour des reins de l'aspirant. Cette ceinture est blanche...Aux chaussures brunes sont alors attachés les éperons d'or...il est temps de donner à ce chevalier l'arme qui est le signe

1 L. Gautier, op.cit. p.2.

2 W.P. Ker, in Epic and Romance, 3rd edition, London, 1908, p.4, assigns the chivalry portrayed in the French epic to the "heroic age" as distinct from the "age of chivalry", with which he associates romance. Léon Gautier, in La Chevalerie, p.90, takes the opposite view; he considers that the true representatives of chivalry are to be found in the epic, while the twelfth century romances mark the decline of chivalry. It is obviously impossible to restrict the definition of chivalry to any one of its phases.

> distinctif des chevaliers, l'épee à deux tranchants...Sur la tête du nouveau chevalier on pose une coiffe blanche. La céremonie devrait ici se terminer par le soufflet, ou plutôt par la colée...[1]

Now we begin to see the deeper significance of the term chevalier when we find it applied to the French preparing for the attack at Roncevaux:

> Adobet sont a lei de chevaliers (Roland,1143).

Obviously, the line refers primarily to the military equipment of the troops, but behind this hovers the secondary meaning that hints at the celestial armour that surrounds these soldiers of God, deeply immersed in the Christian doctrine.

This doctrine is summed up in the following passage:

> Créé à l'image de Dieu, l'homme etait destiné au ciel; mais, le premier homme ayant pêché, toute l'humanité fut précipitée dans l'enfer. Jésus alors descendit sur la terre et nous délivra des Démons, contre lesquels, soutenus par les Anges, nous devons

1 This ceremony is more fully recounted, together with the symbolical nature of the various acts, in the Ordene de Chevalerie, Bibliothèque Nationale, fr.78i,fo.153ff. See L. Gautier, op.cit. p.292-293. See also Miss Joan Evans, Life in Medieval France (cit.) pp.39-41 and E.F. Jacob "The Beginnings of Medieval Chivalry", in Chivalry ed. E. Prestage, London, 1928, p.43. For further details and a list of nine authors who discuss this ceremony, see F.J.C. Hearnshaw, "Chivalry and its Place in History", in Chivalry (cit.) pp.23-4.

> lutter jusqu'à la mort. Tous les hommes qui sont baptisés et ne meurent pas en état de péché mortel sont, depuis lors, sauvés et places dans les saintes fleurs de Paradis; mais l'Enfer attend les autres.[1]

This is the popular expression of the doctrine as seen by the people of the eleventh and twelfth centuries, quite different from that expressed, for instance, by Aquinas, a contemporary of the trouvères.[2]

Guided by the above doctrine, the chrestien of the chansons de gestes lived his dual life of soldier and man of God. As a soldier, he aimed at glory,[3] which could be attained by developing the chivalric conceptions of prowess, loyalty, generosity, and courtesy. By revealing these qualities he hoped to achieve his aim. As a man of God he respected the Church, followed her teachings, and made his aim the enlargement

1 Léon Gautier, op.cit. p.768.

2 A. Castro finds Turoldus so fervent in his religion that he is prompted to refer to the Chanson de Roland as "a symbolical and didactic expression of French chivalry", op.cit. p.274.

3 S. Painter, op.cit. p.36.

of the boundaries of the Kingdom of God.[1] As an entity composed of the many facets discussed above, the Christian, together with his comrades, had as his office:

> To defend the Church, to assail infidelity, to venerate the priesthood, to protect the poor from injuries, to pacify the province, to pour out their blood for their brothers (as the formula of their oath instructs them), and if need be, to lay down their lives. The high praises of God are in their throats, and two-edged swords are in their hands to execute punishment on the nations and rebuke on the peoples, and to bind their kings in chains and their nobles in links of iron. But to what end? To the end that they may serve madness, vanity, avarice or their own self-will? By no means. Rather to the end that they may execute the judgement that is committed to them to execute; wherein each follows not his own will but the deliberate decision of God, the angels, and men, in accordance with equity and the public utility.[2]

These thoughts are repeated by Roland on the deaths of Olivier and Turpin:

> "Pur hanste freindre e pur escuz peceier
> Pur orgoillos veincre e esmaier
> E pur prozdomes tenir e cunseiller
> E pur glutun veincre e esmaier
> En nule tere n'ad meillor chevaler!"(2210-2214).

1 Léon Gautier, op.cit. p.30.

2 Joannis Salesberiensis episcopi Carnotensis Policratici sive de nugis curialium et vestigiis philosophorum (ed. Clemens C.J. Webb, Oxford, 1909) II, translated by John Dickenson, The Statesman's book of John of Salisbury, N.Y., 1927, pp.199-200.

"E! gentilz hom, chevaler de bon aire (2252).

To the utmost of their ability these <u>crestïens</u> served their Church and their country.

CHAPTER IV

PAIEN

Up until the sixth century A.D. the Franks were a pagan people with their own mythological tradition. As their culture developed and spread they came under the Christianizing influence of the Roman Church. Their Christianity became stronger and stronger until eventually their king, Charlemagne, became Emperor of the Roman Church (800 A.D.), the highest temporal official in the Church. Some three centuries after this event, the Franks or French began to produce the chansons de geste -- extensive epic poems characterized by religious fervour, and hatred for the non-Christian. Yet in spite of the strongly Christian atmosphere in these epics, one is still able to discern Frankish traditions which belong to the pre-Christian state of the Franks.

An illustration of this last point is the study of C.F. Keary. He compares the poetic Charlemagne and his twelve peers with Odhinn (Wuotan) and the twelve gods of Asgard.[1] Charles' sagacity at Aix corresponds to Odhinn's wisdom, both personnages being endowed with great age. The two angels guiding Charles find their counterparts in the counselling ravens, Hugin and Munin, Odhinn's constant companions. Roland, nephew of Charlemagne, with his thunderous

1 For other views on the Twelve Peers see G. Paris, Histoire Poétique de Charlemagne, Paris, 1865, p. 416-420.

oliphant resembles Thorr, son of Odhinn, who lived in tempests of thunder and lightning.[1]

As interesting as this train of investigation may be, we must nevertheless cut it short and return to the Frankish religious state of the eleventh century where we shall examine the attitude of these people towards the pagan, an epithet which, until only a few centuries previously, was applied to the Frankish people themselves.[2]

Comments by critical writers on the pagan enemies of the Franks in the chansons de geste are comparatively brief and restricted. The following quotation is quite representative.

> ... le plus souvent ils (les ennemis ou les païens) sont représentés comme cruels et perfides, quelquefois même comme monstrueux, et l'uniformité de leur méchanceté empêche chacun d'eux d'avoir une physionomie bien distincte.[3]

These lines bring out the essential characteristic of the <u>païens</u>: their identity is restricted; they are simply the enemies of Christianity.

The word <u>païen</u> is used as both adjective and noun. It is defined as "pagan, heathen,"[4] "Heide,"[5] "Landbewohner,

1 In the legend of Ragnarok. For further comparisons see C.F. Keary, <u>Outlines of Primitive Belief</u>, N.Y., 1882, p. 485-491.

2 Pagan practices were still a church problem even in feudal times. See Achille Luchaise, <u>Social France</u>, transl. E.B. Krehbiel, London, 1912, p. 19.

3 Gaston Paris, <u>Histoire Poétique de Charlemagne</u>, Paris, 1865, p. 8.

4 T.A. Jenkins, op. cit. p. 351.

5 E. Gamillscheg, op. cit. p. 659.

Bauer. Die dem alten Glauben treu gebliebenen werden als pagani, als ausserhalb der civitas dei stehenden bezeichnet,"[1] "Nicht-Christ,"[2] It is the final part of Meyer-Lübke's definition that brings us closest to the meaning of the term as used in the chansons de geste.

This twofold use of the term is found in its application to Marsilius in the Chanson de Roland. We find him referred to as rei païen (692), as li reis païens (974), and païen (484). The poet refers to a pagan captain as uns paiens Estorganz (940), and the term is also used as a noun to mean the pagans as a whole. "Ferez, paien" (1543), cries Climborin as the heat of battle grows. The use of the word in this context is particularly interesting, since the exhortation is uttered by a pagan. One might argue that since the term has the connotation of not having the true religion, the cry is a confession on the part of Climborin that he and his followers profess the wrong faith. More probably, however, the words simply indicate a strong Christian bias on the part of the poet or his failure to realize exactly what he is making the enemy say. In these ways, we find the term being applied to the enemies of

1 W. Meyer-Lübke, op. cit. p. 503.

2 For an account of the development of this meaning, and also of other meanings of "paganus", see August Pauly, Real-Encyclopädie der Classischen Altertumswissenschaft, vol. XVIII, Stuttgart, 1942, col. 2295.

Christianity in general.[1]

The noun paienisme or paenisme is defined as "heathenism, Mohammedanism."[2] McMillan explains it: "mot qui s'oppose à crestiente et qui signifie, selon le contexte, terre ensemble, ou meme religion des Sarrasins."[3] As with païen, we find paienisme being used both adjectivally and as a noun. The phrase la gent paienisme (Roland, 3367) shows the adjectival use;[4] again in line 1921:

Puis escrident l'enseigne paienisme[5].

Bertoni remarks: "v. 1929 -- dove sembra agettivo, ma può essere sost., paganismo (l'ensegna del pag.)."[6] Jenkins comments on its use here, noting its development from

1 See Jacques Zeiller, Paganus, Etude du terme historique, Paris, 1917. See also article on païen in Archivium Romanicum. Nuova Rivista di Filologia Romanza, II, diretta da Giulio Bertoni, Geneva, 1917, p. 272. The term was commonly applied to the Sarrasins in the Middle Ages: "Dans tous les textes du temps, lettres et discours des papes, relations des croisés, chroniques, écrits théologiques, les Sarrasins sont couramment qualifiés du nom de païens (pagani), aussi bien par les papes Grégoire VII, Urban II, Pascal II, Gélase II, Calixte II, que par le chroniqueur de Saint-Maixeut, le chevalier des Gesta, les prêtres Tudebod, Raimond, Foucher, et que par le poète de la Chanson de Roland." -- P. Boissonnade, Du Nouveau sur la Chanson de Roland, Paris, 1923, p. 247.

2 T.A. Jenkins, op. cit. p. 351.

3 D. McMillan, op. cit. p. 177.

4 Chanson de Roland, V4, ed. Raoul Mortier, Paris, 1940, reads: la gent paganie.

5 Chanson de Roland, ed. T.A. Jenkins, op. cit. The edition by R. Mortier, op. cit. reads paenime here. This edition is a transcription of the often incorrect text of the Oxford manuscript.

6 La Chanson de Roland, ed. Giulio Bertoni, Firenze, 1936, p.567.

"paganismus": "properly = 'religio-paganorum', but under the influence of superlatives in -isme and also through analogy with paienor, the noun is used adjectivally."[1]

Paienor is only used with gent in the Chanson de Roland where it has developed an adjectival sense:[2]

Si veit venir cele gent paienor (1021)[3].

Jenkins explains that gent paienor is the Church Latin "gens paganorum," where the word is a noun. A parallel usage exists in the phrases geste francor,[4] and tens ancienor;[5] francor and ancienor are nouns used adjectivally.

The modern meaning of the word "paganism",

> ... in the broadest sense, includes all the religions other than the true one revealed by God, and, in a narrower sense, all except Christianity, Judaism, and Mohammedanism. The term is also used as the equivalent of polytheism."[6]

In the chansons de geste, however, its connotation is somewhat different. Here, the term is applied to the Mohammedans

1 T.A. Jenkins, op. cit. p. 144. For paienisme used as an adjective, see Romania, XII, Paris, 1875, p. 588f.

2 T.A. Jenkins, op. cit. p. 351.

3 See also lines 1221, 2427, 2694, 2639.

4 Chanson de Roland, v. 1443, 3262.

5 Vie de Saint Alexis, nouvelle ed., Gaston Paris, Paris, 1903, v. 1.

6 C.C. Martindale, The Catholic Encyclopedia, vol. XI, New York, 1911, p. 388.

and is considered the antonym of crestienté. This comes about as a result of a series of historical events.

The decisive happening in mediaeval Spanish history is the great Moorish invasion of 711; it determined the lines of development of the peninsula during its subsequent history. The Arabs, who had become masters of Egypt before the middle of the seventh century, began soon afterwards to send out conquering expeditions into the regions farther west. Not until the arrival, in 705, of the famous Musa Ibn Nusair, with the title of Governor of Ifrikia were the invaders able definitely to extend their conquests to the shores of the Atlantic.

In 711, as is well known, Tarik, with a large number of Arab and Berber troops landed at present-day Gibraltar ("Tarik's Mountain") and defeated the Visigoth forces commanded by Roderic. The subsequent conquest of the peninsula was rapid, and by 718 was complete in all regions excepting small mountainous areas in the far north. The country was officially organized under an emir subject to the governor of Moslem Africa, who in turn owed obedience to the Caliph of Damascus. Frankish wrath was aroused by systematic Moslem penetrations beyond the Pyrenees in 720 and 721 as far as Poitiers and Toulouse with virtual control of the Midi in 795.[1]

1 For the extent of the Moorish penetrations, see R.B. Merriman, The Rise of the Spanish Empire in the Old World and in the New, I, New York, 1918, p. 30f.

The conquest of the Spanish March, north of Barcelona, by the French, and later Charlemagne's expedition into Spain in 778 brought further "contacts" with the Moors; and the discovery of the body of Saint James the Greater set the stage for subsequent events. This discovery of the body of Spain's patron took place in the reign of Alphonse the Chaste (791-842). The corpse is supposed to have been wafted in a stone coffin from Palestine across seas and mountains to Galicia, to be enshrined at Santiago de Compostela.[1] The spot became a centre of pilgrimages ranking next to Rome; and the road leading to it, the "Way of Saint James", was trodden by thousands of foreigners, especially visitors assembling in France at the Tower of St. Jacques in Paris. Santiago became thus an important centre for the spread of French culture in the Peninsula.[2]

Towards the close of the eleventh century the power over the Holy Places of the East changed hands. The Fatimite Caliphs of Cairo, kindly and humane, were driven away by the Caliphs of Bagdad, the Seljuks. In 1070, Jerusalem was taken by Anziz-ibn-Abik and, 1084, Antioch fell to the control of the Turks. Many Christian inhabitants of these two cities flocked back to the West, relating tales of intolerance and hardship. Added to this state of affairs

1 For different interpretations see A. Castro, op. cit. p. 79, 131f.

2 For the worship of relics - "the true religion of the Middle Ages" - see Achille Luchaire, Social France, transl. by E.B. Krehbiel, London, 1912, p. 28f.

was a new invasion of Spain by African Mohammedans, the Almoravides, bringing the defeat of the Christian army at Zalaca on the 25th. October, 1087.

With the Seljuk Turks in the Holy Land, the power of the Christian Emperor of Constantinople, Alexius, was threatened. His appeal to Pope Urban II was supported by Urban's call at the Synod of Placentia (March, 1095) and at the Council of Clermont (November, 1095) for Christian support.[1] The net result was that the French took up arms against the Infidels in the East and renewed their expeditions against those in the South.

It is at about this time that the chansons de geste were being composed; and their spirit is certainly that which might lead to the Crusades. The enemies in the epics are those who threaten their religion, the pagans, the <u>averse gens</u>.

<u>Avers(e)</u> is explained as "turned away, gone astray, hence miscreant, pagan,"[2] "hostile to God, infidel race,"[3] "abgewandt, gegen, im Vergleich mit,"[4] "feindlich, widrig,"[5]

1 The Council of Clermont had not been called to discuss the Crusade, but rather the excommunication of Philip I and the state of the French Church.

2 T.A. Jenkins, op. cit. p. 292.

3 F. Whitehead, op. cit. p. 133.

4 W. Meyer-Lübke, op. cit. p. 65 and 17.

5 E. Gamillscheg, op. cit. p. 62 and 13.

"ennemi, énorme, méchant, à l'opposé de,"[1] "maudit."[2] This is how the Christians look upon the Saracens -- the enemies who hate God. Charlemagne tells us some of the peoples he classifies as avers in the Chanson de Roland:

> Encuntre mei revelerunt li Seisne
> E Hungre e Bugre e tante gent averse,
> Romain, Puillain e tuit icil de Palerne,
> E cil d'Affrike e cil de Califerne; (2921-2924).

Again, the forces of Baligant from the East are described with the same adjective:

> Grant sunt les oz de cele gent averse (2630).

Rather surprisingly, we find the term also being used by the pagans who apply it to themselves. As Baligant disposes his forces, he addresses them as "La meie gent averse ..." (3295), which Bédier loosely translates "Mes païens ..."[3]. Jenkins expresses surprise at finding these words in the pagan's mouth, and notes a possible humorous acceptance of the depreciatory term used by the Christians: "My pagan people (as our enemies call us) ..."[4]. But humour is somewhat out of keeping with the solemn attitude of the author when considering the Christian-pagan situation. Baligant uses the term just before the battle with the Christians. Consequently, it would seem rather bad for morale among his

1 F. Godefroy, op. cit. p. 42.

2 J. Bédier, op. cit. p. 243.

3 J. Bédier, op. cit. p. 275.

4 T.A. Jenkins, op. cit. p. 231.

troops to remind them, just before a major battle, that theirs is the wrong faith. Its use in this context may be explained in a more logical way: the poet himself, being so convinced of the pagan's evilness, momentarily forgets his biased point of view and takes the fact to be a universal truth, and consequently puts the term in the mouth of the enemy himself.[1] If this be the case, it gives us a good indication of the extent of the Christian's ignorance of the pagan.

Connected with avers is the word aversier translated as "demon, devil,"[2] "adversaire ennemi (particulièrement le diable), infernal,"[3] "démons."[4] It is not difficult to see how the term acquired this extended meaning: the enemy and the infernal beings are closely connected. For instance, as Roland kills the pagan Climborin,

L'anme de lui enportent averses (lui - Climborin) (1553).

Again, after Charlemagne's victory over the army of Marsilius, the Emperor has a vision where he sees similar demons:

1 See above: païen, p. 127.

2 T.A. Jenkins, op. cit. p. 292 and F. Whitehead, op. cit. p. 133.

3 R.G. d'Hauterive, op. cit. p. 46.

4 J. Bédier, op. cit. p. 131.

Urs e leuparz les voelent puis manger
Serpenz e guivres, dragun e averser[1] (2542-2543).

In lines 2921-2924 we saw how generally the term avers was applied to the enemy. This is a characteristic of the Christian attitude towards their enemies. Although they are composed of many races and beliefs, the application of the terms avers, païen and other terms listed below is quite general. Mention has been made in an earlier chapter to the "loi sarrazine" or religious belief of the Saracens, which was sweepingly applied to Charlemagne's enemies, including Celts or Normans, in the chansons de geste.[2]

Charles waged many wars against the Mohammedans or idolators, all of whom were grouped together in the chansons de geste under the appellation of Saracen or pagan. A series of wars was conducted in Italy against the enemies of Christianity (let us exclude here the wars in Lombardy where the enemies are Christians). In these accounts there is a common basis: a pagan king sails from Africa, pillages Italy and threatens or captures Rome. The French come to

1 Averser is also applied to Apollin, Mahom, Pilate, Neron, Cahu, Burgibus (Beelzebub), Barre -- see L. Gautier, op. cit. p. 769, 810 (DIABLES). Thus, to the Christians, the pagan gods were aversers.

2 See Chrestien above, p. 115 , for the pagan's "book". See also Chanson de Roland, lines 3337-3338, and Aliscans, line 4466.

the aid of the pope; and the war ends with the defeat of the infidels. With this theme, the following poems unfold: Aspremont or Agoland, Ogier le Danois, Balan. Similar wars are fought in Spain and occupy a larger number of works than do the Italian wars. Here, the most important poems are related to William Shortnose, whom the poets identify with William of Toulouse, or, at least, place in the court of Louis the Pious. La Prise de Carcassonne recounts the taking of Carcassonne by Roland, a noble at Charlemagne's court.[1] Details of the poem are not known, however, since no poetic form relating the capture of the city is extant.[2] Similarly, La Prise de Narbonne has also been lost in its poetic form,[3] but other accounts still survive. La Prise d'Arles is a relation of Charles' success over the Saracens in this particular city.[4] Then, there is the Emperor's expedition into Spain, which, according to the Chanson de Roland, lasted seven years,[5] and consisted of almost continuous fighting. The Chanson de Guillaume, Aliscans,

1 Historically, Carcassonne was captured by William at the end of the eighth century, as was Narbonne.

2 See G. Paris, Histoire poétique de Charlemagne, Paris, 1865, p. 254, for evidence as to the poem's existence.

3 Ibid., p. 256.

4 Possibly a confusion with Aliscans: Arlis campis(?).

5 Chanson de Roland, line 2.

and Covenans Vivien all relate battles with the pagans from Spain at the time of Charlemagne and Louis the Pious.

Saxon wars took much of Charles' attention. References to them are found in the Chanson de Roland (line 2330), although historically they took place after the events at Roncevaux, 778. Their nature was religious; and they ended with Saxon conversions to Christianity. The length of these campaigns is attested to by Pierre Damien (988-1072), who wrote in his De Eleemosyna,

> "L'empereur Charles avait fait quinze campaignes contre le roi des Saxons, qui était encore dans les liens du paganisme, et avait perdu quinze fois la bataille; mais ensuite il fut vainqueur dans trois grands combats et finit par le faire prisionnier."[1]

Gaufroi recounts Danish wars, while Annales Ryenses tells of Charles' retreat not only from Denmark, but also from Saxony. Paris thinks it is quite probable that there existed at one time a chanson de geste that related the conquest of British and Irish pagans, although no such poem has come down to us.[2] The Chanson de Roland recalls the conquest (2322), and so does Couronnement Louis (18). The Conquete de la Bretagne, dating from the thirteenth century, relates the invasion of Britain by a Mohammedan

1 G. Paris, op. cit. p. 291. See also the account of the wars agains the Saxon "devil-worshippers", T.J. Shahan and E. Macpherson, The Catholic Encyclopedia, New York, vol. III, 1908, p. 613.

2 G. Paris, op. cit. p. 295.

Emir, Aquin, who is driven out by Charlemagne and the French. Thus, it would seem that, in the eyes of the epic writers at the time of the Crusades, France was surrounded by pagans; and it was consequently thought to be the duty of the French to convert them all to Christianity.

While the pagans seem to have a certain unity in their infidelity, the chansons de geste did acknowledge some degree of diversity in their language. Guillaume, for instance, was well-versed in the pagan tongues:

De tos langages estoit endoctrines (Aliscans, 1378).

Shortly after we discover this linguistic ability of the count, we find him making use of it to capture a credulous group of Saracens who have captured two hundred young men and thirty ladies. He is helped in this undertaking by his use of the equipment of Aerofle, a Saracen chieftain whom he has just killed. The Chanson de Guillaume verifies Guillaume's gift of languages. Here we find the episode relating his victory over Aerofle or Alderufe and his putting on the armour of the pagan, hoping in this way to be able to cross the pagan lines more easily. In addition to changing his appearance, he also changat sun latin (2169), latin here being used to signify "langue, langage."[1] Some of the languages he needs in his venture are listed:

1 D. McMillan, op. cit. p. 172. Cf. line 3248.

Salamoneis parlat, ties e barbarin,
Grezeis, alemandeis, aleis, hermin,
E les langages que li bers out ainz apris (2170-2172).

These languages are explained as follows: Salamoneis: "Une des langues parlees par Guillaume; Miss Tyler suggere 'hebraïque', langue de Salomon (ed. p. 159);"[1] Tieis: "langue allemande;"[2] Barbarin: "(langue) berbere;"[3] Grezeis: "grec;"[4] Alemandeis: "allemand;"[5] Aleis: "une des langues attribuees a Guillaume;"[6] Hermin: "armenien."[7] Thus, although the Christians saw little divergence in religious beliefs among their enemies, they did recognize certain language differences.

Even though their languages differ, the pagans are abhorred as a single group, as a result, no doubt, of their lack of Christianity and their conquering spirit. There are many instances in the chansons de geste that

1 D. McMillan, op. cit. p. 182.

2 D. McMillan, op. cit. p. 184, also J. Frappier, Les Chansons de Geste du Cycle de Guillaume d'Orange, Paris, 1955, p. 133.

3 D. McMillan, op. cit. p. 158, but J. Frappier, op. cit. p. 133, translates it "le barbarin".

4 D. McMillan, op. cit. p. 170.

5 D. McMillan, op. cit. p. 156, and J. Frappier, op. cit. p.133.

6 D. McMillan, op. cit. p. 156. Possibly: Aleis Arleis (Arles, Aliscans).

7 D. McMillan, op. cit. p. 133.

illustrate the Christians' abhorrence. It is revealed in episodes, in comments made by various Christians and in individual words applied to the enemy. Some of these items will be examined.

The most apparent proof of the pagans' being hated is revealed in Christian attempts to wipe out paganism mercilessly. Little opportunity is taken to capture prisoners in any encounter -- the enemies are slaughtered wholesale.[1] When the Christians are fortunate enough to capture an enemy city, as in the case of Saragossa, they root out all traces of pagan faith.[2] The only enemies allowed to live are those who forsake their old religions and adopt Christianity.[3] Christian haor (hate) is so great that even a wounded Saracen is not allowed to live. When Guillaume and the young man Gui discover the Saracen king lying in a pool of blood, a fierce duel takes place, ending in the king's defeat. Not satisfied with taking the wounded king's horse, the young Gui draws his sword and decapitates the helpless pagan. To the protestations of his uncle the young man replies that Alderufe still has legs for walking, eyes

1 For example: the slaughters at Cordres, v. 101-102, and Saragossa, v. 3669-3670, Roncevaux, v. 2058-2060, and the Spanish March, v. 3386-3390, all in Chanson de Roland, and Archamp , v. 1120-1126, in Chanson de Guillaume.

2 Chanson de Roland, v. 3661-3671.

3 Ibid., v. 3668-3671. The merciless intolerance (also found in Pippin's victory over the Avars - recounted in a Latin poem) is a characteristic of the French chansons de geste, but not of the old Castillian epic.

for seeing and

Si aveit coilz pur enfanz engendrer (1971, Chanson de Guillaume).

So he kills him to prevent him from producing more pagan heirs, to which the astute Guillaume replies:

"...sagement t'oi parler!
Cors as d'enfant e raisun as de ber." (1976-1977)

Such abhorrence and scorn are further illustrated in comments by both Charles and by the poet himself in the Chanson de Roland. Before the battle with Baligant's forces Charles harrangues his men, pointing at the enemy and voicing his scorn.

"Veez paien: felun sunt e cuart.
Tutes lor leis un dener ne lur valt" (3336-3337).

These words reveal Christian contempt for pagan valour, and hatred towards their beliefs. Again, the essential evil in their lei is revealed in the poet's description of the pagan king, Corsablis:

Barbarins est e mult de males arz (886);

and the same term mal appears in Roland's comment as he attacks Grandoine at Roncevaux:

... "Deus tut mal te consente! (1632)

which Bédier translates: "Que Dieu t'octroie tous les maux!"[1] As the Christian hero calls down "the worst possible evil,"[2] we see clearly the profound hatred he has for the

1 J. Bédier, op. cit. p. 139.

2 T.A. Jenkins, op. cit. p. 341.

enemy. This feeling is found not only among the knights, but also, naturally, in the archbishop. Turpin faces the arrogant King Corsablis at Roncevaux. Just before the churchman strikes him dead, the poet comments:

Suz ciel n'at hume que (tant) voeillet haïr (1244).

This hatred is also revealed in the various epithets applied to the pagan. Gloton occurs frequently; for instance:

Nos avum dreit, mais cist glutun unt tort (1212, Roland).

Here, the term is applied collectively to the enemy, but it is also applied individually in lines 1230, 1251, 1337, where deep contempt is also expressed. The term is used in the Chanson de Guillaume with equal force as it is applied to the pagan King Dérامé by Guillaume on two occasions (v. 1937, 1948). However, it is used in this poem with more frequent application to the Christians. In line 266, the poet uses it with reference to Tiebaut, the cowardly Christian commander; and later, the powerful pagan Aildre uses it when speaking to his nephew, the redoubtable Rainouart, whose tinel (club) does so much for the Christian cause. The most common appearance of the term, however, is upon the lips of Guillaume, as he addresses his young nephew, Gui, reproving him for his various actions:

A, glut, lecchere, cum fus unc tant ose
Que home maigne osas adeser! (1965-1966).

In such a context we find the word most frequently in this poem.[1]

1 Cf. lines 1453, 1455, 1460, 1630.

The noun gloton (or glotun, glutun, glut, glouz, gluz) is variously defined as "greedy fellow, depraved wretch, miscreant,"[1] "miscreant,"[2] "Schlemmer,"[3] "Vielfrass, Schwelger,"[4] and is thus used as a term of abuse based on the concept of desmesure.[5]

Not appearing in the Chanson de Roland, but having frequent application to the pagans in the Chanson de Guillaume, is the word lecchere. McMillan describes the word as "terme d'injure, appliqué par des chrétiens à des Sarrazins."[6] But this is not complete, for, as in the last quotation noted above, it is used with reference to Christians also. In its various forms[7] it appears at least twenty times in the poem and is always used as a term of abuse. Lecheor is defined as "homme livre à l'impudicité ou à la gourmandise, homme de plaisir, galant d'une femme mariée, terme d'injure en général,"[8] and lecherel: "homme qui aime le plaisir, sensuel, gourmand."[9]

1 T.A. Jenkins, op. cit. p. 330.

2 F. Whitehead, op. cit. p. 148.

3 W. Meyer-Lübke, op. cit. p. 324.

4 E. Gamillscheg, op. cit. p. 472.

5 See chapter on Crestien, p. 102, 104.

6 D. McMillan, op. cit. p. 173.

7 Lecchere, lines 789, 1965, 2604, 2674, 2737, 2787, 2902, 3281, 3425; leccheres, 3384; lecchers, 2270; leccheur, 2700, 2704, 2881; leccheurs, 2619; lecchurs, 2868, 2879, 2968; lechere, 423; lecheur, 2922.

8 F. Godefroy, op. cit. p. 303.

9 Ibid.

Culvert (culverz) has more general application. Having killed the pagan Aëlroth, Roland heaps taunts upon his victim, calling him "Ultre culverz" (1207, Chanson de Roland) -- "consummate rascal,"[1] "thorough scoundrel,"[2] "fils de serf."[3] Elsewhere (1232), Olivier applies the term to Duke Falsaron, who unsuccessfully tries to avenge his nephew's death. In the Chanson de Guillaume, the youthful Gui calls Derame "culvert Sarazin" (1908); and his uncle addresses Alderufe "culvert paien" (2122), using the plural form, "culverz paiens" (2173), to indicate the enemy in general later on.[4] However, the term is not reserved exclusively for pagans, for the author of the Chanson de Guillaume applies the term to his hero as he waits for entrance at the gates of Orange (2241). This usage is explainable here, however, for the hero is using the equipment of the vanquished Alderufe. Later on, the epithet culvert is unmistakenly applied to a Christian when Guillaume speaks of the cowardly Tiebaut in his quarrel with the queen (2604).

Similarly, in the Chanson de Roland we find Roland using it with respect to Ganelon, who was responsible for his being assigned to the rearguard:

1. T.A. Jenkins, op. cit. p. 350.

2 F. Whitehead, op. cit. p. 164.

3 J. Bédier, op. cit. p. 103. Roland similarly taunts Chernuble with culverz after he has slain him - Chanson de Roland, line 1335.

4 See also Chanson de Roland, v. 1253.

"Ahi! culvert, malvais hom de put aire" (763).

This term culvert is defined as "ignoble or contemptible man, wretch,"[1] "serf, ignoble wretch,"[2] "truand,"[3] "misérable,"[4] "serf, individu dont la condition était intermédiaire entre l'esclavage et la liberté, mais plus près de l'esclavage/ fig. pervers, perfide, infame, miserable, vil, garnement, maraud/ indigne, infame, horrible, funeste,"[5] "Knecht, als Schimpfwort: Narr(?), Schurke, Elender."[6] Thus, this epithet is further evidence of the disparaging Christian attitude towards the pagans.[7]

In the last poetic quotation above, we met the term put which is another term of abuse applied to the pagans. Whitehead translates the phrase de put aire as "of vile birth,"[8] while Jenkins is more restrained: "of low origin,"[9] but elsewhere[10] he is more outright in his translation --

1 T.A. Jenkins, op. cit. p. 307.

2 F. Whitehead, op. cit. p. 137.

3 D. McMillan, op. cit. p. 162.

4 P. Boissonnade, op. cit. p. 249.

5 F. Godefroy, op. cit. p. 115.

6 Tobler-Lommatzsch, op. cit. col. 1151

7 For the meaning of culvert in a wider situation, see K.-J. Hollyman, Le Développement du Vocabulaire féodal en France pendant le Haut Moyen Age, Genève et Paris, 1957, p. 155.

8 F. Whitehead, op. cit. p. 158.

9 T.A. Jenkins, op. cit. p. 286.

10 T.A. Jenkins, op. cit. p. 358.

"bad-smelling, foul." Most frequently, the term is applied to the Saracens, and is combined with the noun gent:

... Sarazins, la pute gent averse (103, Chanson de Guillaume).

The term is used elsewhere in the poem with similar phraseology.[1] The queen, Guillaume's sister, uses this adjective to describe the many vile tricks -- mainte pute guische (2592) which Guillaume's wife, Guibourc, had learned as an infant pagan. Hereupon, the faithful duke is overcome with anger and turns the adjective back upon his sister three times, accusing her of drunkenness and idle gossip:

"Pute reine, pudneise surparlere" (2603, 2611).

Here he uses an interesting form of the same word, pudneise = "puante."[2] Further, when Rainouart meets his uncle, Aildre, on the battlefield, the latter scornfully doubts his nephew's veracity and questions his own sister's character with the words:

"Fiz a putein, dis me tu dunc verite?" (3289)

as he asks for Guillaume's whereabouts. Other definitions of the term pute are "faul, quarzhaltig,"[3] "schlecht, moderig, ekelhaft,"[4] "sale, infect, mauvais, méchant/ de mauvaise vie."[5]

1 See lines 220, 609, 2352.

2 D. McMillan, op. cit. p. 179.

3 W. Meyer-Lübke, op. cit. p. 570.

4 E. Gamillscheg, op. cit. p. 726.

5 F. Godefroy, op. cit. p. 419.

The use of these terms illustrates the degree to which the pagans were abhorred and scorned by the Christians, who considered themselves vastly superior to their enemies. There is an exception in this situation, however, and that is the case of Rainouart.[1] Whether or not he constitutes a real exception is debatable, because this warrior, fighting for Guillaume at Archamp, is neither Christian nor knight, his infancy having been passed in the country of the pagan. However, in lines 2837-2851 a partial dubbing takes place, where he reluctantly accepts a sword from Guibourc.[2] However, as he fights his endless battle against the pagans he begins to wish he were back at Löun, where he could do things other than just kill Saracens (2997, 3004). A stronger disgust with killing appears in Aliscans, where he encounters relatives whom he wounds and kills. Rainouart eventually curses his tinel and hurls it far from him. Reconciliation with it soon follows, however. Upon this scene Frappier comments:

> Ce n'est là sans doute qu'une nuance; elle introduit pourtant un élement d'humanite et de relative tolerance qui modifie les rapports epiques entre chrétiens et Sarrasins,... ce trait ... démocratique...indique

1 For his biography, see Chanson de Guillaume, v. 3503f, where his eventual baptism takes place.

2 See also line 3252.

peut-être...un tour d'esprit d'âge plus récent."[1]

Thus, in Rainouart we find a suggestion that the pagans may have a justifiable reason for existing as a separate entity from the Christians. This hint at a democratic attitude, however, is restricted to Rainouart and is not found among the Christian knights.

Despicable as the pagans may be in the eyes of the Christians, we may certainly discern traits in these people which are worthy of admiration. One of them is a fierce devotion to their religious beliefs. They have no love for the Christian faith,

> Ço est une gent ki Deu nen amat unkes (3261, Chanson de Roland),

which they consider to be worthless:

> "Nulle baptisterie ne deit aver en terre (2113, 2115, Chanson
> Celle baptisterie ne valt mie une nifle" de Guillaume)

as Alderufe says to Guillaume, for Mohammed rules on earth:

> "... Mahomet...le secle governe" (2120, ibid.).

For this reason, Baligant holds high their gods' standard in the Chanson de Roland and proclaims:

> "Ki par noz deus voelt aveir guarison,
> Sis prit e servet par grant afflictiun!" (3271-3272),

whereupon

> Paien i bassent lur chefs e lur mentun
> Lor helmes clers i suzclinent enbrunc (3273-3274).

1 J. Frappier, op. cit. p. 275. The writer sees a similarity between Willehalm by Wolfram von Eschenbach and the Chanson de Guillaume, "... où les païens sont présentés comme des adversaires dignes des chrétiens par leurs vertus morales et chevaleresques." Ibid.

At Roncevaux, this faith is evident as they die for their belief before the gaze of Marsilius:

Marsilies veit de sa gent le martirie (1467).

Roland himself comments on this fact:

"Cist paien vont grant martirie querant" (1166).

Marsilius never comes closer to renouncing his religion than simply feigning to seek Christendom at the completion of Ganelon's embassy. He vents his frustration upon his gods' statues following his rout by Charles (2580-2591), but never actually renounces his faith even though the pagan defeat brings his death:

Morz est de doel. Si cum pecchet l'encumbret (3646).

Similarly, at Saragossa, many pagans prefer death to Christianity and are slaughtered and burnt:

S'or i ad cel qui Carles cuntredire voillet,
Il le fait prendre o ardeir ou ocire (3669-3670).

However, with the pagan defeat by Charles their gods fall into disrepute. Bramimonde comments

"Cist nostre deu sunt en recreantise" (2715),

and with the destruction of Saragossa widespread conversion takes place (3671).[1] It requires little imagination to produce a reason for this sudden change of faith. With the choice between death or apostasy, many pagans naturally choose the latter and thus become <u>recreants</u>, which word

1 This particular case of intolerance isimaginary, since most critics agree that the <u>Chanson de Roland</u> was written before the captureof Saragossa (1118).

Jenkins defines as "recreant (applied at first to those who change their religion under pressure)."[1] Bramimonde herself, with nothing more to live for as a pagan queen, submits to baptism:

Chrestiene est par veire conoisance (3987).

The gods worshipped by the pagans are numerous. Some of their names are Mahomet, Apollin, Tervagant, Jupin, Burgibus, Cahu, Baraton, Macabeu, Noiron, Fabur,[2] Margot,[3] the first three of which form a sort of unholy trinity and are frequently mentioned together in the chansons de geste:

"Cil Mahumet ki nus ad en baillie,
E Tervagan e Apollin, nostre sire,
Salvent le rei e guardent la reïne!"[4] (2711-2713)

Various attempts have been made to account for the names of these deities, particularly the three mentioned in the Chanson de Roland above. Mahomet is "the prophet of Islam, portrayed in the poem as one of the three false gods whose idols the Saracens worship."[5] Variously known as Mahomet, Mahome, Mahound, and Mahun, he is "the 'false prophet' Mohammed, in the Middle Ages often vaguely imagined to be worshipped as a god. A false god, an idol, cf. 1400 A.D.

1 T.A. Jenkins, op. cit. p. 361.

2 Floovant, ed. Guessard and Michlant (Anciens Poètes de la France), Paris, 1859, v. 560.

3 Fierabras, ed. Kroeber and Servois (Anciens Poètes de la France), Paris, 1860, v. 5289.

4 Says Bramimonde; see also lines 3490, 3267-3268.

5 F. Whitehead, op. cit. p. 171-172.

Destruction of Troy v. 4313."[1] Later poems relate the life of Mohammed during the Crusades.[2] He reportedly meets his end during a bout of drunkenness at the end of which he is strangled by a herd of swine.[3] This legend may be connected with the Chanson de Roland, where Turoldus depicts Marsilius, in a bout of rage, destroying the statues of his gods and throwing Mahommed's image into a ditch -

E porc e chien le mordent e defulent (2591, Chanson de Roland).

As the French overpower the defences of Saragossa, Queen Bramimonde utters the cry "Aïde nos, Mahome!"[4], a cry which is similar to the Christian "Deus aïe!" The poet uses an interesting form of the noun, which would appear to be a vocative.[5] This form may be an analogy of the inflection nominative "hom"; obliquus, "home", or it might be a form of the Spanish Mafoma, or Mahoma, quite in keeping with the Spanish environment of the pagan queen.[6]

1 J.H. Murray, op. cit. p. 38.

2 Voyage à Jerusalem, ed. cit. v. 5542f. cf. 6621, 6768f.

3 Voyage à Jerusalem, ed. cit. v. 5546f; Aiol, ed. cit. v. 10085; Siège de Narbonne, Bib. Nat. fr. 24259, fo. 65; Moniage Renoart, ed. cit. v. 368, fo. 254; Gaufrey, ed. cit. v. 3580; Floovant, ed. cit. v. 373.

4 Chanson de Roland, ed. Jenkins, cit. v. 3641.

5 Contrast with Mahum in the same phrase, v. 1906.

6 Clédat, Modern Language Notes, No. 2, Baltimore, 1887, p. 1, tries to circumvent the question by substituting mare somes for the noun.

The supposed power of Mohammed is brought out in the Chanson de Guillaume as the recreant Guischard dies with these words on his lips:

> Car si jo eusse Mahomet merciez,
> Ja ne veisse les plaies de mes costeis (1199-1200).[1]

The poet shows his belief in the folly of such an utterance, for in the next line,

> ... a grant force en est le sanc alez; (1201)

and the recreant falls dead.

Apollin is the famed Roman sun-god Apollo. The early Church regarded him as a devil;[2] and under this guise he finds his way into the Chanson de Roland. Jenkins explains the form Apollin as possibly a misunderstanding of the Latin accusative, "Apollinem".[3] This dd Roman god is represented as holding a rod in his hand with which he threatens the Christians.[4] The pagans, seeing Guillaume disguised as Alderufe in the Chanson de Guillaume, mistakenly believe that their gods have protected their king from the Christians, and reaffirm their faith in them:

1 Other mentions of the god's name in this poem are lines 1199, 1786, 2116, 2117, 2118, 2120, 2173, 2282, 3253, 3364.

2 F. Whitehead, op. cit. p. 167.

3 T.A. Jenkins, op. cit. p. 4. Cf. La Chanson de Guillaume, v.3254.

4 Voyage à Jerusalem, cit. verse 5563-5564. In the Chanson de Roland he is represented as holding a sceptre and crown. See line 2585.

"Des ore devom Mahomet aorer
E Apolin, e Bagot, e Macaben" (2282-2283).

Blancandrin reaffirms his faith in Apollo as he stands before Marsilius, as he commends his King to this god --

"... Apollin, qui seintes leis tenuns!" (417, Roland).

Numerous explanations have been offered for the name Tervagant, whose origin appears to be neither Latin, Germanic nor Arabic. "Termagant," mentioned in Shakespeare's Hamlet, III, 2, written some five centuries later bears a resemblance to him. Some proposed etymologies of his name are "terra vagans,"[1] "ter vagari,"[2] and an anagram of "Saturn."[3] Another proposed etymology is "Tarvos Trigaranus," the Gallic bull-god,[4] The modern English term "termagant" may be traced back to the name of the supposed pagan deity:

> A brawling, turbulent woman, shrew./ A person of violent temper introduced into the old morality plays as a character to furnish a part for a ranting actor; originally (T-) one of the fabled idols that the mediaeval romances represented Mohammedans as worshipping. (< O.F. Tervagant It. Trivigante, prob.

1 See art.in Archiv für das Studium der neueren Sprachen und Literaturen, CXXXV, Brunswick, 1880, p. 205.

2 Oxford Dictionary, cit. vol. 9, pt. 2, p. 203.

3 Zeitschrift für Romanische Philologie, XXXVIII (1914-1917), p. 226.

4 Georges Dottin, Manuel d'Irlandais Moyen, Paris, 1913, p. 235-237. Also Henry d'Arbois de Jubainville, Les Druides et Dieux Celtiques, Paris, 1906, p. 155, and Louis Joseph Bertrand, La Religion des Gaulois, Paris, 1897, p. 351.

a name of the moon-ter, thrice - vagan(t)s.[1]

Leo Spitzer's theory is one of the most important on the origin of this god's name. He suggests that the name developed from Terrificante(m)> Tervigant. This explanation is phonologically acceptable. However, the original word "Terrificante(m)" has no reference to a deity.[2]

Tervagant's name is mentioned frequently in the oldest chansons de geste, particularly in the Chanson de Roland.[3] This poem gives us a hint of his power as Marsilius' army retreats before Charlemagne. Their passage barred by the River Ebro, the armoured pagan warriors utter a brief prayer to their god and hurl themselves into the rushing waters:

> Paiens recleiment un lur deu, Tervagant
> Puis saillent enz, mais il n'i unt guarant (2468-2469).

Their belief is that even though they are weighed down with heavy equipment, they will be miraculously sustained by the power of their god. Such assistance, however, is not forthcoming, and all are drowned.[4] The god is also mentioned in the Chanson de Guillaume, where Rainouart relates how he was expected to do homage to this deity during his

1 I.K. Funk, A New Standard Dictionary of the English Language, New York, 1957, p. 2486.

2 L. Spitzer, Romania, LXX,1949, p. 397f.

3 See lines 2589, 2696, 2712, 3267, 3491.

4 See line 2474. Thepoet revises this pronouncement in line 2578, where Marsilius appears with more than 20,000 troops.

childhood among the pagans.[1]

These three deities are represented on a pagan standard which is flown at Saragossa where the pagans pay homage to their gods before the battle with Charlemagne:

> Dedavant sei (Baligant) fait porter sun dragon
> E l'estandart Tervagan e Muhum (3366-3367).

This banner probably bears emblems of the three gods comparable, in some way, to the "vexillum sanctae crucis" of the crusades.[2] The ceremony performed here would seem to resemble the trooping-the-colour parade carried out in present-day army units. This parade has, as one of its purposes, the aim of familiarizing troops with regimental emblems and thus building up their adherence to military traditions. The pagan ceremony, of course, has additional religious implications.

We mentioned above the leis of Apollo. These are represented as appearing in a book which holds a position among the pagans similar to that of the Bible among the Christians. When Marsilius concludes his infamous pact with Ganelon, he swears on this book:

> La lei i fut Mahum e Tervagan (611, Roland).

As we mentioned before, this would appear to be the poet's idea of the Koran.[3]

1 Lines 3511-3513, Chanson de Guillaume.

2 For Tavernier's somewhat different interpretation, see Zeitschrift für Französische Sprache und Literatur, 1900, No. XLI, p. 49. See also P. Boissonnade, op. cit. p. 249.

3 See chapter CHRESTIENS, p. 115.

In addition to having a trinity, a holy book, and a holy standard, the pagans also have idols of their three gods, lodged in their temples.[1] With the defeat of Baligant's troops, Marsilius destroys those at Saragossa.

> Par les mains le (Apollo) pendent sur une culumbe,
> Entre lur piez a tere le tresturnent,
> A granz bastuns le batent e defruisent.
> E Tervagan tolent sun escarbuncle,
> E Mahumet enz en un fosset butent (2586-2590, Roland).

The beating and upsetting of Mohammed's statue is a frequent occurrence following a pagan defeat,[2] as are the curses heaped upon him following disasters.[3] An interesting variation of the idol to Mohammed is a hollow, speaking statue made vocal by a pagan, a devil, or a "Satanus."[4] Some of these idols and images are displayed in the temples at Saragossa, but the Christian occupation of the city soon brings about their destruction:

1 See lines 412, 612, 2580, 2619, 3496, 3664, for idols in Chanson de Roland.

2 See Chanson d'Antioche, II, v. 46-47; Voyage à Jerusalem, v. 1544f; Moniage Renoart, Bib. Nat. fr. 368, fo. 258; Fierabras, v5175, 5287.

3 See Voyage à Jérusalem, v. 8663f; Moniage Renoart, Bib. Nat. fr. 368, fo. 233 and 246; Fierabras, v. 906, 3722, 3828, 5782; Gaufrey, v. 3577.

4 Chanson d'Antioche, II, v. 62; Aiol, v. 9627; Simon de Pouille, Bib. Nat. fr. 368, fo. 144, col. 1.

A mil Franceis funt ben cercer la vile,
Les sinagoges e les mahumeries;
A mailz de fer e a cuignees qu'ils tindrent,
Fruissent les ymagenes e trestutes les ydeles;
N'i remeindrat ne sorz ne falserie. (3661-3665, Roland)

Jenkins and Bedier translate the word sinagoges as "synagogues."[1] Mahumeries are "Mohammedan mosques"[2] or "mahommeries."[3] Jenkins, however, reconsiders his interpretation and proposes that both words mean "mosques."[4] He makes this judgement by considering both these words as used in the poem Aiol, v. 9630 and 9658,[5] where they have the meaning of "mosques." Although Jews were often massacred along with pagans by the Crusaders, the likelihood that sinagoges means "temples of the Jews"[6] is debatable.

1 T.A. Jenkins, op. cit. p. 368. J. Bédier, op. cit. p. 305.

2 T.A. Jenkins, op. cit. p. 340.

3 J. Bédier, op. cit. p. 305.

4 T.A. Jenkins, op. cit. p. 252, Note.

5 Edition by J. Normand and G. Raynaud, (Société des Anciens Textes français), Paris, 1877.

6 Cf. Aymeri de Narbonne, v. 1224. With this word alone is the Jewish faith mentioned in the Chanson de Roland. However, synagogues certainly existed in Spain at this time, some of them still standing today and being used as Christian places of worship (e.g. a temple at Toledo).

From the religious organization noted, we may conclude that the pagan system depicted in the Chanson de Roland roughly resembles the Christian establishment of the eleventh and twelfth centuries, that had a trinity, a holy book, and places of adoration. With the exception of the first item, this is, superficially, the actual make-up of early Mohammedanism. Gautier comments upon this parallelism:

> Etrangers à toute étude sociale et ethnographique comme a toute couleur locale, nos épiques ont suppose qu'il y avait chez les musulmans la même organisation religieuse que dans la chrétienté, un pape, des evèques, des excommunications, un jubilé, etc..."[1]

The poet assumes a religious unity among the pagans, which according to Boissonnade only vaguely existed in history:

> Le poète a certainement exagere l'union qui régnait dans ce monde musulman, comme celle qu'il attribue au monde chretien. La Méditerrannée etait un lac musulman ou Valence, Alméria, Ceuta, Bougie, Tunis se trouvaient en continuelles relations... De cette unité, il semble que le poète de la Chanson de Roland ait eu la vague intuition, lorsqu'il montre unies dans une entreprise de défense mutuelle toutes les forces de la païenie."[2]

So vague is this Christian knowledge of their foes on occasions, that we find the pagans of the Chanson de Roland practising a number of Christian rites. Before the standards of their gods, they show due reverence. Baligant sermonizes them, saying:

1 L. Gautier, op. cit. p. 823.

2 P. Boissonnade, op. cit. p. 243-244.

"Ki par noz voelt aveir guarison,
Sis prit e servet par grant afflictiun!" (3271-72).

Bédier translates: "Celui qui par nos Dieux veut être sauvé, qu'il les prie et les serve en toute humilité!"[1] This word afflictiun, however, has a wider connotation than just "humilité." It means "act of penitence,"[2] "self-abasement before God,"[3] "génuflexion, acte d'humilité,"[4] "récitation des psaumes de la pénitence, qui se faisait dans une posture gênante et courbée,"[5] "genuflexion, recitation of the penitential psalms in an uncomfortable posture."[6] The word comes from the Latin verb "aflire (refl.), sich nieder werfen, sich demütigen"[7] Thus the poet depicts a scene where the pagan worships his gods on bended knee, praying for remission of sins, and chanting appropriate psalms.

Throughout the chansons de geste, we find God being addressed as Damnedeu (obliquus: Lat. Dominum Deum) or Damnusdeus (rectus: Lat. Dominus Deus), "le Seigneur Dieu,"[8]

1 J. Bédier, op. cit. p. 273.

2 T.A. Jenkins, op. cit. p. 286.

3 F. Whitehead, op. cit. p. 131.

4 F. Godefroy, op. cit. p. 11.

5 W. Maigne d'Arnis, op. cit. col. 109.

6 T.A. Jenkins, op. cit. p. 230. While these rites are carried out by Mohammedans, the descriptive terms used above are more habitually reserved for application to the Christian faith.

7 Tobler-Lommatzsch, op. cit. Band I, col. 191.

8 W. von Wartburg, op. cit. p. 131.

"Herr Gott,"[1] "The Lord God,"[2] "Lord."[3] It is a term of reference applied to the God of the Christians. However, as the pagans prepare for the final encounter with their enemies, we find Baligant praying to his unholy trinity:

"Mi damnedeu, jo vos ai mult servit!" (3492, Roland)

using the same term of address as the Christians. Hence, the application of the term damnedeu is widened: "the three heathen gods,"[4] "le Seigneur Dieu / au pl. les dieux de la mythologie."[5]

Finally we may even find a tentative reference to baptism. In the Jenkins edition of the Oxford version of Chanson de Roland, we come upon the lines:

Atant: vint uns paiens Valdabrons,
Icil levat lo rei Marsilion (617-618).

Comparing the use of levat in this line with its use in line 1563, we may conclude the term to mean,in the infinitive "to raise from the baptismal font, christen, to act as god-father to,"[6] "tenir sur les fonts baptismaux, enlever, elire,"[7] "levare de sacro fonte, tenir sur les fonts baptismaux,

1 Tobler-Lommatzsch, op. cit. II, col. 1183.

2 T.A. Jenkins, op. cit. p. 307.

3 F. Whitehead, op. cit. p. 139.

4 T.A. Jenkins, op. cit. p. 307.

5 F. Godefroy, op. cit. p. 116.

6 T.A. Jenkins, op. cit. p. 338. F. Whitehead, op. cit. p. 151.

7 F. Godefroy, op. cit. p. 304.

être parrain."[1] Jenkins comments on this line quoting further examples of its usage, but also referring to the doubts of Gautier and Geddes[2] that Turoldus actually means baptism here.[3] Rather, they think he means "raised him knight," line 1563 having the same meaning. Jenkins insists, however, that Valdabron is in some way "patrinus" to King Marsilius. While Whitehead uses levat in his edition of the Oxford manuscript, neither Bédier nor Mortier accept it in theirs. They prefer

Icil en vait al rei Marsilïun (618),

which Bédier translates: "Il s'approche du roi Marsilie,"[4] thus omitting completely the reference to baptism, which after all is not a Mohammedan custom.

Thus, we find the religion of the pagans having rites that come quite close to Christian practices on several occasions. We are consequently led to agree with Jenkins' comment:

> The poet never hesitates to transfer his own Church terms to the Mohammedans.[5]

The inaccuracy of Christian knowledge about pagan

1 W. Maigne d'Arnis, op. cit. p. 1286.

2 J. Geddes, Jr., La Chanson de Roland. A Modern French Translation, New York, 1906, line 618.

3 T.A. Jenkins, op. cit. p. 53, 375.

4 J. Bédier, op. cit. p. 55.

5 T.A. Jenkins, op. cit. p. 230.

beliefs is revealed in the very names of the gods (besides the names of Saracens in general).[1] This inaccuracy can be seen in the strange conglomeration of gods reportedly worshipped by Alderufe in the Chanson de Guillaume:

> Ainz creit le glut Pilate e Belzebu
> E Anticrist, Bagot e Tartarin,
> E d'enfern le veïl Astarut (2137-2139).

All details considered, the Christians had little knowledge of pagan belief. We are made aware of this fact very early in the Chanson de Roland, where the poet describes Marsilius' belief:

> Mahumet sert e Apollin recleimet (8).

The poets commits the double error of attributing polytheism to Islam and of considering Mohammed to be worshipped as a god. Later he writes:

> Mahumet levent en la plus halte tur (853).

This is a reference to a graven image of the Prophet (or perhaps a military emblem of their god), something strictly forbidden to Mohammedans. Such statements may hardly be intentional mockeries of Islam; we would therefore be more inclined to attribute the poet's statements to ignorance of the true state of affairs:

> Sur l'organisation religieuse des musulmans, le trouvère n'a que les notions superficielles et en partie érronees... il faut se souvenir que l'Occident chretien n'a connu le Coran qu'au milieu du XIIe

1 On this point, Leon Gautier, op. cit. p. 823, comments: "Les noms mêmes des Sarrasins n'offrent, le plus souvent, dans nos chansons, aucune couleur orientale."

siecle...auparavant les idées les plus confuses avaient cours, non seulement chez les lettres comme Turold mais encore chez les théologiens humanistes...et meme chez les historiens."[1]

Whether the pagans are from Spain, Africa, or the Eastern Mediterranean, they are believed to worship a host of gods whose names are vaguely linked with mythology, and who generally represent the powers of darkness. Collectively, the various pagan groups constitute the enemies of God, the rebels against the authority of Christ. Thus they become felon[2] for Turoldus, who indignantly exclaims against Abisme, for example, that:

Ne creit en Deu, le filz sainte Marie (1473).

Although the term "perfide" is not expressly applied to the pagans and their actions, the term, nevertheless may be used to characterize many of their deeds in the chansons de geste, and thus explain another facet of the word païen. The perfidy of the pagans is seen in their treatment of the body of Vivien after he has supposedly died in Aliscans and the Chanson de Guillaume. Not content with defeating the Christians by overwhelming odds, they further attempt to hide his body from Guillaume, should he come to find him in order

1 P. Boissonnade, op. cit. p. 246.

2 For definition of felon see chapter on Traïsun p. 210. For a discussion of pagan beliefs in a wider context see P. Boissonnade, op. cit. pp. 246-250.

to give the hero a Christian burial.

> Od els l'enportent, ne l'en volent laisser;
> Suz un arbre le poserent lez un sentier, (926-928)
> Car il ne voldreient qu'il fust trove de crestiens.

There is no instance of the Christians committing a similar act in the chansons de geste.

At Archamp, Guillaume, with 30,000 knights, does battle with the enemy until all his men are killed. His last knight to die is Guischard, who, mortally wounded, is lifted by Guillaume on to his horse, in preparation for an escape attempt. At this moment, a pagan appears who hurls a dart at the helpless Christian, killing him -- a further example of pagan perfidy.[1]

A similarly unchivalrous act takes place in the killing of Olivier by the pagan caliph who strikes his victim in the back (Chanson de Roland, 1945). These two acts may be countered by the act of the young Christian, Gui, who kills the helpless King Déramé, after he has been defeated by Guillaume and robbed of his horse (Chanson de Guillaume, 1963). The reason for the decapitation -- Déramé is still capable of engendering more Saracens (1971) -- is a mere rationalization to us, but is quite an acceptable explanation to Guillaume, his sage uncle.[2]

1 Chanson de Guillaume, v. 1219-1244. The incident illustrates Guillaume's mesure. Being the sole Christian survivor on the battlefield, he does not uselessly remain behind to give up his life. See chapter on Chrestien, p. 106.

2 This subject occurs frequently in Germanic (Thidrekssaga) and Spanish (Infants of Lara) legend.

Further acts of perfidy are the attempts to steal Durendal (Chanson de Roland, 2274ff), and the treatment of Basilie and Basan (Chanson de Rloand, 208, 330, 490). Durendal is the sword of Roland given to him by Charlemagne, on the order of God himself (Ibid, 2318).[1] The meaning of Durendal is unknown. Chrétien de Troyes calls it "Durandart" (Yvain, 3235), and Turpin (c. XXII) calls it "Durenda." It contains several relics in its hilt:

> La dent seint Perre e del sanc seint Basilie,
> A des chevels mun seignor seint Denise,
> Del vestement i ad seinte Marie (Roland, 2346-48).

It serves Roland well in his battle against paganism. That an enemy should try and steal it constitutes a great perfidy -- so great, in fact, that the poet durst not allow it. Roland, although near death, finds sufficient strength to end the treacherous attempt by killing the aspiring thief with his oliphant (2274-2295).[2]

The episode of Basilie and Basan constitutes further perfidy. Although the affair is not fully related in the Chanson de Roland, the three references given allow us to understand what happened.[3] The two knights are sent to Marsilius on an embassy, and are treacherously killed

1 According to Asprement, ed. Guessard, Paris, 1855, (an incomplete edition), v. 5879, Charlemagne obtained Durendal from Eaumon, "sire devers Orient." For an account of the sword's origin see Ekkehardus, I in H. Althof, Das Waltharilied, Leipzig, 1900.
2 For the sword's eventual fate see J. Bédier, Les Légendes Epiques, III, cit. p. 388, Note.
3 Lines 208, 330, 490.

near Haltilie.[1] Since ambassadors are traditionally considered above attack while carrying out their duties, the murder of these two men consequently constitutes a perfidious act.

Perhaps the most serious act of treachery that the pagans commit in the early chansons de geste is to be found in the opening pages of Chanson de Roland -- Marsilius' promised conversion to Christianity. In order to kill Roland, the believed source of his suffering, Marsilius lulls Charles into a false sense of security by pretending to seek conversion. The Christian army withdraws; and the rearguard commanded by Roland, containing Olivier, Turpin, and twenty thousand French knights, is completely destroyed. It is this primary act of perfidy, in fact, that produces the train of events that follow Blancandrin's embassy to Charles. Riquer goes so far as to account for Charles' victory over Baligant as a result of Marsilius' trickery :

> Charlemagne est vainqueur parce que Marsil est un traître, qui a feint de se convertir pour que Charlemagne rentrât en France, et qui a attaqué

1 Nicolas of Verona relates the affair in more detail in the Prise de Pamplune, ed. A. Mussafia, Vienna, 1864, v. 2545-2648. The knights are set upon in Marsilius' presence by more than 123 pagans, who hang them summarily out in the fields. Marsilius excuses the act on the grounds that Charles has treacherously attacked him without a formal "défi." This is a later extension of the subject. The event in the Chanson de Roland takes place at Saragossa.

son arrière-garde par surprise, et avec la complicité d'un être déloyal, Ganelon.[1]

Thus, the perfidy of the *païens* in the *Chanson de Roland* plays quite an important part in the events that bring the final defeat of the infidels at the hands of the Christians.[2]

Boastfulness is another detail in the general connotation of the term *païen*. Numerous examples of pagan arrogance -- a form of *desmesure* -- are to be found in the chansons de geste.

After the death of Vivien at Archamp, every Christian has been either killed or captured, with the sole exception of Guillaume, who fights on, killing fifteen of the enemy and wounding a further sixty. Suddenly, the pagan Alderufe appears mocking Guillaume's prowess, comparing him unfavourably with other warriors (*Chanson de Guillaume*, 2098-2101). He then comments :

"Qui qu'en seez, ancui perdras la teste" (2104).

Christianity then comes beneath his scorn; and the two warriors join battle (2111-2126). He has great fighting ability, however,

Mais Deu nen out, partant est il tut perdu (2136)

1 Martin de Riquer, *Les Chansons de Geste Françaises*, Paris, 1957, p. 91.

2 If Marsilius had fulfilled his promise of conversion, it would have constituted a perfidy against his own

-- for this reason, he falls before Joyeuse, the sword that Charlemagne presented to Count Guillaume.

This taunting of the Christian before a duel seems quite habitual. Further examples of it are to be found. As Marsilius assembles his army for the ambush at Roncevaux, his nephew, Aëlroth, asks for the first blow at Roland, confident that he will emerge victorious. He boasts :

"Jo l'ocirai a mun espiet tranchant" (Roland, 867). During the battle he rides forward to taunt the French, laughing at their betrayal, and slandering Charlemagne. Needless to say, this manner of talk is not allowed to continue unchallenged; and he falls beneath a blow from Roland's Durendal. As the battle draws to a close, the Berber King, Corsablis, boasts that the encounter will soon be ended, since the numbers of the Christians are so low. However, he never witnesses the conclusion, for he falls beneath the sword of the val iant Turpin. (1238f).

The final battle against the Christians in the Chanson de Roland is the dual combat between the two leaders, "a supreme conflict of Truth against Error."[1]

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people. Hence, having made his promise of conversion, he could not have avoided a perfidious consequence.

1 T.A. Jenkins, op. cit. p. 246.

Before the encounter Baligant boasts that he will carry the war to France, and even to Aix, Charles' capital (2666-2667). This mighty braggart experiences the fate of all other unrelenting pagans and dies by the sword, the victim of Truth. These frequent ante-proelium boastings are found in all the epics,[1] and are not restricted to the pagans alone. Examples are to be found of Christian boasts.[2]

In spite of the vices listed above, the pagans are still able to evoke a certain amount of admiration from their Christian enemies. We find praise in general being made, also individual praise for certain noteworthy pagans. In the battle for Saragossa, the poet of the Chanson de Roland marvels at pagan prowess :

> E li paien merveillusement fierent. (3385)
> Ki puis veïst li chevaler d'Arabe,
> Cels d'Occiant e d'Argoille e de Bascle!
> De lur espiez ben i firent e caplent (3473-3475).

Bédier translates this second passage: "Il fait beau voir les chevaliers d'Arabie, ceux d'Occiant, d'Argoille, et de Bascle, comme ils frappent de leurs épieux."[3]

1 See T.A. Jenkins, op. cit. p. 73. He quotes the Oxford Girart de Roussillon, v. 4750ff, where Charles rejoices at his knights' boasts.

2 For example, Chanson de Roland, vs. 1055, 1065, 1077, but these boasts are mild compared with those of the pagans. They proceed in part from the belief that each side has that it alone is in the right and has the only true God as an ally.

3 J. Bédier, op. cit. p. 289.

Blancandrin and Grandione are particularly admired. The first is Marsilius' ambassador,

> Blancandrins fut des plus saives paiens:
> De vasselage fut asez chevaler,
> Prozdom i out pur sun seignur aider (Roland, 24-26).

He resembles the baron Naymer in his bravery, loyalty, faithfulness to his lord and devotion to his religion.[1] Grandione is elected as one of the Twelve Saracen Peers to oppose their Christian counterparts:

> Grandoinie fut prozdom e vaillant
> E vertuus e vassal cumbatant (1636-1637).

Prozdom has already been defined;[2] vertuus or vertuos means "powerful,"[3] "courageous(?),"[4] "valeureux, courageux,"[5] "courageux, fort, vigoureux, puissant/ de bonne qualité, efficace, qui a telle ou telle vertu,"[6] "mannhaft, mutig,"[7] "praeditus virtute."[8] Vassals means "heroic,"[9] "homme noble et vaillant,"[10] "vaillant, courageux, brave."[11]

1 See Aliscans, v. 4312.

2 See chapter on Chrestiens, pp. 92, 93.

3 T.A Jenkins, op. cit. p. 377.

4 F. Whitehead, op. cit. p. 165.

5 R.G. d'Hauterive, op. cit. p. 584.

6 F. Godefroy, op. cit. 532.

7 W. Meyer-Lübke, op. cit. p. 887.

8 W. Maigne d'Arnis, op. cit. col. 2282.

9 T. Jenkins, op. cit. 375. F. Whitehead, op. cit. p. 164

Other pagans are admired to the point of being compared with Christians. Balaguet, one of the Saracen Twelve in the Chanson de Roland, is renowned for his courage :

> De vasselage est li ben alosez;
> Fust chrestiens, asez oüst barnet (898-899).[1]

Bédier translates: "Pour le courage, il a bonne renommée; vrai baron, s'il était chrétien."[2] Similarly, Baligant, the pagan leader, is complimented:

> Deus! quel baron, s'oüst chrestientet! (3164),[3]

and so is King Alderufe:

> Li Sarazin Alderufe fu hardiz e prouz,
> Chevaler bon, si out fere vertuz,
> Mais Deu nen out, par tant est il tut perdu.
> (Chanson de Guillaume, 2134-2136)

Thus, even under the biased gaze of the Christians, pagan valour is admired, the main failing being the pagans' lack of faith. If they were Christians, they would be the equals of the faithful Christian knights in chivalrous conduct and in warfare. What greater

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10 R.G. d'Hauterive, op. cit. p. 580.

11 F. Godefroy, op. cit. p. 527.

1 Read chrestiens as chrestiëns for syllabification.

2 J. Bédier, op. cit. p. 79.

3 Read chrestientet as chrestiëntet for syllabification. See P. Boissonnade, op. cit. p. 253 for a similar admiration in wider context.

evidence do we need of pagan ability?

From the above, it will thus appear that the term païen has a connotation in the chansons de geste quite different from that which is attached to the word used in wider contexts. Even though the païens are the enemies of the Christians partially because of their religious faith, we find their religion resembling that of the Christians in a number of respects. A similar parallel may be drawn in their battle prowess. These similarities arise most probably as a result of the incomplete knowledge of Mohammedan traditions on the parts of the Christian poets. On the application of the term païen to the Moslems, and the consequent confusion that arises, Jenkins writes:

> "The Mussulmans are thus (-païen) designated in all the chansons de geste, owing no doubt to a confusion between the enemies of the South(Moors and Berbers in Spain and Africa) and those of the East, Saxons, Danes, Slavs, Hungarians and Tartars, who were really pagans. This regrettable confusion has deprived the Mussulmans of their real and proper character in our epic poetry, in which they play so important a role."[1]

Thus, the use of the term with all its connotations points out the precarious state in which the Christian dominion existed at this time. Its use in the chansons

1 T.A. Jenkins, op. cit. p. 13. He acknowledges the quotation to be from Gaston Paris.

de geste, however, indicates a people somewhat different from their historical counterparts, and consequently dismays historical critics like Jenkins and Boissonnade. On the other hand, the critic who admires internal beauty finds little to complain about in the presentation of these enemies of Christianity, who may be characterized thus:

> ...ils apparussent comme un peuple abhorré, férocement attachés à son idolâtrie, perfide, fanfaron, insolent;...un peuple de mécréants, qui pourtant se fait admirer par sa vaillance et sa beauté et n'en est que plus redoutable ...Tout n'y est que haine, ruse, forfanterie.[1]

These are the ennemies in the chansons de geste,

> Ço est une gent ki Damnedeu ne sert;
> De plus feluns n'orrez parler jamais
> (Chanson de Roland, 3247-3248).[2]

1 E. Faral, La Chanson de Roland, Etude et Analyse, Paris, 1948, p. 205.

2 C.f. line 3261. Pope Urban at Clermont, according to Robert the Monk, similarly denounces the Turks: "Gens regni Persarum, gens maledicta...a Deos aliena..." J.P. Migne, Patrologia Cursus Completus, Series Latina, CLV, col. 671. Paris, 1912. Quoted from T.A. Jenkins, op. cit. p. 228.

CHAPTER V

JUSTISE

The justice of Charlemagne has become legendary. Modern Germans speak of "Karls Recht"; literature abounds with references to it; and history, in the form of Carolingian capitularies attests to the degree with which Charlemagne was preoccupied with it.

Many stories are told that give evidence of the Emperor's desire to see justice done. Here is an interesting one told by Enenkel, an Austrian poet of the thirteenth century, author of a rhymed Chronique du Monde. A bell was supposed to hang at the palace door, so that those seeking justice might ring on it.

> "Un jour Charles était assis à table où il mangeait de la volaille et du poisson, comme doit le faire un roi, quand il entendit tinter la cloche. Il dit: 'C'est un pauvre homme; si on lui a fait quelque tort, je lui ferai justice, par ma vie, que ce soit un homme ou une femme!' Aussitôt les portiers sortirent pour voir le pauvre homme qui avait sonné; mais ils ne virent personne: ils le rapportèrent à leur seigneur. La cloche sonna encore une fois. L'empereur leur ordonna d'aller voir de nouveau: 'Si vous ne m'amenez pas l'homme qui demande ainsi justice, je vous punirai sur-le-champ.' En entendant les paroles du roi, les quatres gardes de la cloche sortirent aussitôt et se mirent à chercher l'homme ou la femme qui sonnait; mais en vain ils se penchèrent et regardèrent de tous côtés, ils ne virent personne qu'ils puissent ramener. Ils revinrent alors auprès du roi, et dirent: 'Nous ne voyons personne qui ait sonné la cloche; chacun de nous s'est penché pour

pour découvrir quelqu'un et vous le dire; mais nous n'avons pu voir personne.' Mais pour la troisième fois la cloche se mit à sonner. Le roi fit de grandes menaces: 'Si vous ne me ramenez pas à l'instant celui qui sonne cette cloche, en verité je vous fais mourir misérablement! Les quatre écuyers sortirent de nouveau, remplis d'une grande crainte. 'Devons-nous périr, disaient-ils, comme nous sommes si innocents? Que Dieu nous soit en aide!' Alors l'un d'eux regarda dans la cloche, et vit qu'une longue couleuvre était enroulée autour du battant; c'était elle qui agitait la cloche. Ils revinrent alors auprès du roi. 'Amenez-moi, dit le roi, celui qui demande justice; je ne refuserai pas de la lui rendre. - Sire, répondirent-ils, il n'y a personne qu'une couleuvre enroulée autour du battant, qui agite la cloche; c'est un monstre horrible à voir!' - 'C'est un miracle de Dieu, répliqua le roi. Peut-être est-elle malheureuse et tourmentée, et veut-elle se plaindre à moi. Ouvrez les portes, laissez-la entrer; ce que Dieu veut que je fasse pour elle, je le verrai, et je saurai ce qu'il en est.' Et la couleuvre, sans honte, descendit de la cloche et s'approcha librement de la porte; le roi ordonna de la laisser entrer; il dit: 'Qu'a-t-elle, cette longue couleuvre? sa démarche est pénible à voir. - Elle s'approche de vous,' dirent les seigneurs. Le roi défendit qu'on lui fit aucun mal. Elle vint jusqu'aux pieds du roi et resta ainsi devant lui. 'Elle m'implore certainement, dit Charles, et veut que je lui rende justice. Fais-moi connaître le tort dont tu te plains, et il te sera fait droit.' La couleuvre commença alors à s'éloigner, et Charles ordonna à quatre hommes de la suivre. Elle les mena dans un jardin près d'un épais buisson; là était un grand crapaud, qui causait sa douleur, car il était étendu sur ses oeufs à elle. On frappa le crapaud et on l'apporta devant le roi, qui le jugeait à mort. On le perça d'un épieu par l'ordre du bon roi Charles, et la couleuvre fut satisfaite."[1]

1 H.F. Massmann, Kaiserchronik, vol. III. Leipzig, 1835, page 975-976, quotes the various texts where this anecdote appears. See also G. Paris, Histoire poétique de Charlemagne, Paris, 1865, p. 354. In a modified version of the same

This account relates a twelfth century writer's belief in the comprehensiveness of Charlemagne's justice. Historically, Charles was faced with many legal codes[2] by which the various races that made up his Empire lived. In spite of these differing codes, however, the Emperor's judicial system was generally uniform from one end of his territories to the other. In this system, there was one dominating principle:

> ... parmi les devoirs qui incombent au souverain, il n'en est pas de plus impérieux que celui d'assurer à chacun le plein respect de ses droits -- de "sa loi" disent les textes -- et une justice scrupuleuse. Ce principe, mainte fois énoncé dans les capitulaires, vaut non seulement pour l'empereur lui-même mais pour tous ceux, laïques ou ecclésiastiques, qui en son nom exercent l'autorité.[3]

Most of Charles' judicial directives were issued to his counts, for most court cases were held in their hearing. Such meetings were held regularly and were known as the "mall" or "plaid". The place of justice was known as the

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story, this time set at Zurich, the snake shows its gratitude to the king. A few days following the incident, the king is sitting peacefully at his table, when the snake enters, raises the lid of the royal glass, and deposits there a magnificent jewel and leaves. Charles takes the stone and presents it to his lady. - Heinricus Brännwaldius, in Scheuchzer, Itinera per Alpinas Regiones, vol. III, original ed, Leyde, 1723, p. 381.

2 The Salic Laws, Ripuarian Laws, Burgundian Laws, etc. See DREIT, p. 3f.

3 Louis Halphen, Charlemagne et l'Empire Carolingien, Paris, 1947, p. 186.

"malberg", which was any suitably elevated place. Later, the gate of the chateau was also designated as the place of assembly.[1] The mall consisted of three divisions: the president -- either a royal appointee known as the "thunginus" or the count, a royal officer;[2] a minimum of seven freemen who acted as "rachimbourgs" or judges; and the "sagibarons" -- agents of execution -- who were soon replaced by the "vicarii" of the count. The thunginus directed debates, called witnesses to be heard and invited the rachimbourgs to deliberate and to vote; and finally he delivered the sentence they imposed.[3]

Later in the eighth century, the standard and tone of the court rose considerably when Charlemagne replaced the rachimbourgs by "scabini", later called "échevins", who were chosen from those eligible for the office of rachimbourg and who thereafter formed a standing group of

1 See J.I. Mombert, A History of Charles the Great, N.Y., 1888, p. 66 for further details on "mall". "Duke" and "count" were simply official designations, unconnected with the geographical and political divisions of the country.

2 For the authority of the count, see A. Kleinclausz, Charlemagne, Paris, 1934, p. 80.

3 F.C. Riedel, Crime and Punishment in the Old French Romances, Columbia University Studies in English and Comparative Literature, N.Y., 1938, p. 13f.

professional judges better acquainted with the law than the rachimbourgs had been. After the breakdown of the Carolingian Empire and during the earlier part of the feudal epoch, less care was taken in the administration of justice; and the judges of this period were often untutored and no better trained for office than the Merovingian rachimbourgs.

A general principle coming down from Frankish times was that all free men, noble or plebeian,had the right to be judged by their peers. But, to the end of the thirteenth century this principle remained active for the nobles only -- fief-men and vassals of the court-keeper. Vassals sometimes found court service binding and dangerous: they were obliged to leave their own affairs for those of others; long journeys were unsafe; if one of the litigants challenged the validity of the judgement, the judges had to defend their sentence by force of arms. To reduce the onerousness of court duty, assemblies were generally held three times a year, usually at the three great festivals, Christmas, Easter and Pentecost.[1]

The royal court constituted the supreme court to which the difficult cases were passed. Firstly this court

1 See L. Halphen, op. cit. p. 187.

judged royal functionaries, notably counts against whom their inferiors brought complaints, or nobles who disobeyed royal ordinances or deserted their king. Church officials were also tried at this court.[1] Only in exceptional cases did the sovereign preside. The count of the palace or grand seneschal normally took charge. Proceedings always took place in the royal palace and the role of the échevins was taken by nobles who formed the royal entourage.

Of all the royal court officers the most prominent was the grand seneschal -- a sort of vice-king who acted during the absence or default of the monarch.[2] As intendant general he had under his orders all the personnel of the table service; and in administrative capacity, he supervised and directed the provost. He exercised in part the judicial authority which had formerly belonged to the count of the palace, but he shared it at times with the chancellor, and other great officers of the court.

To ensure that his orders were known and carried out

1 See G. Waitz, Deutsche Verfassungsgeschichte, vol. IV, 2nd ed., Berlin, 1883-1885, p. 472-499. L. Beauchet, Histoire de l'Organisation judiciaire en France. Epoque franque, Paris, 1886, p. 327-353. H. Brunner, Deutsche Rechtsgeschichte, vol. II, 2e édition, refondue par C. von Schwerin, Leipzig, 1928, p. 181-192.

2 See L. Halphen, op. cit. p. 187.

in all parts of his Empire, Charlemagne instituted the "missi dominici", who travelled around controlling and correcting judges, and carrying out many other legal duties.[1] Their aim was a true and equal administration of justice to both rich and poor.[2] To gain some idea of what offences were considered during the Middle Ages, we may consider Charles' "bannus dominicus". Anyone who dishonoured the Holy Church, acted unjustly against widows or orphans or poor men unable to defend themselves, or carried off a free-born woman against the will of her parents, or set fire to another man's house or stable,or who committed "harizhut" (breaking and entering), or who did not go forth against the enemy when summoned came under the king's ban and suffered a consequent fine.[3]

1 For a fuller account of their duties, see T. Hodgkin, Charles the Great, London, 1908, p. 242f. The duties of the "comes", "centenarius", "scabini," "vicarius," etc. are also set out. See also L. Halphen, op. cit., p. 187, 190. For a comment on "missi" and bribery in a mediaeval country scene, see Eileen Power, Mediaeval People, 6th ed., London, 1935, p. 19-20.

2 For the development of the office of "missi" and the duties, see H.W. Carless Davis, Charlemagne, The Hero of Two Nations, London, 1906, p. 156-158. For "special missi" see J.I. Mombert, op. cit. p. 372ff.

3 T. Hodgkin, op. cit., p. 243. The offences are mentioned in the following capitularies found in Capitularia Regum Francorum, pub. by A. Boretius and V. Krause, Hanover, 1883-1897, No. 27 (797) p. 71, art. 1; No. 33 (802), p. 98, art. 40; No. 34 (802) p. 101, art. 18; No. 68 (801-813) p. 157-158, art. 1-3; No. 98 (801) p. 205, art. 2; No. 110 (801) p. 224, art. 1-8.

As equitable as Charlemagne's justice may have been historically, the type of justice we find in the chansons de geste has the air of acts of vengeance. Riedel comments upon the primitive nature of this type of justice:

> ... rival and predecessor of organized justice -- a means of retribution very widespread and ancient, forming one of the chief sources not only of mediaeval criminal law, but of the laws of nearly all races of all time. It often works with higher authority, but often conflict is present with organized chastisement (represented by the state and the Church and leaning heavily on Roman Law) which eventually gained the upper hand over the principle of vengeance as surviving in the twelfth and thirteenth century penal law.[1]

Vengeance formed the motive for many of the private wars carried on by petty barons, who were thus constantly undermining royal authority. Many attempts were made by Merovingian and Carolingian kings to limit vengeance by their capitularies, but very little success was achieved since the feud was too widespread to be easily suppressed.[2] The Chanson de Roland contains an outstanding example of poetic mediaeval vengeance. The episode of Ganelon's betrayal of Roland is such an act;[3] and Charles' consequent

1 F.C. Riedel, op. cit. p. 15.

2 Ibid. p. 15. For the short-lived effect of Charlemagne's capitularies see H.W. Davis,op. cit. p. 318.

3 Line 3778.

legal action against him is a desire to avenge the death of twelve of his peers and twenty thousand loyal knights.[1]

However primitive this type of justice may be, the great Charles is widely lauded in literature for his legal knowledge. During his adolescence he is sent as a page to a gentleman for whom he wins an important judgement by means of a subtlety borrowed from the wisdom of the Orient.[2] Also related to Charles is the judgement made famous in Shakespeare's Merchant of Venice.[3]

Philip Mousket, a twelfth century writer, praises the justice of Charlemagne in his Vita Karolis (v. 3580),

1 Biblically (Matthew, V. 38-39, 44; Luke, VI, 27-29) God forbids revenge. Charles knew this: he had read so in Augustine's City of God, Book V, chapter 24. Eginhard mentions Charles' acquaintance with this work, see A.J. Grant's translation, Early Lives of Charlemagne by Eginhard and the Monk of St. Gall, London, 1926, para. 24, p. 40.

2 The story is told in the Chronicle of Weihenstephen quoted by G. Paris, op. cit. p. 229.

3 Ibid. Other accounts of Charles' wisdom and justice are to be found in the German poetry of the "Meistersänger" see C. Goedeke, Deutsche Dichtung im Mittelalter, 2nd ed., Dresden, 1871, p. 703; J.G.T. Grässe, Beiträge zur Literatur und Saga des Mittelalters, Dresden, 1850, p. 302.

written in 1165. In this work he is depicted as the emperor who never allows any wrong to be done to the young or to the poor. The same topic is to be found in the Couronnement de Louis, which presents Charles in the extremes of old age, handing over his crown to his son with these words of advice:

> Quant Deus fist rei por peuples justicier,
> Il nel fist mie por false lei jugier,
> Faire luxure, ne alever pechie,
> Ne eir enfant por retolir son fie,
> Ne veve fame tolir quatre deniers (175-179, ed. Langlois)

The speech continues for a further twenty-four lines on the same topic. Thus the poetic king re-echoes the words of his historical capitularies.

In other texts, Charles' actions become less and less important. He withdraws more and more into the background, becoming a spectator or an inspirer of the actions of his captains. This is the situation we find at the trial of Ganelon in the Chanson de Roland. Later poems -- those in which the Emperor fights rebellious barons -- reduce him to a general without power and a king without wisdom, who is saved from many a "faux pas" by the close attention of Naimes of Bavaria.[1]

1 In his old age, the historical Charles certainly seemed to have trouble asserting his power and maintaining

God is very near to Charles[1], as He is to all the faithful knights in the chansons de geste. Through His aid the Emperor is able to administer justice in all the clashes following the defeat at Roncevaux related in the Chanson de Roland. The enemies of the King represent injustice; and religious implications are seen in the three major encounters triggered by the Pyrenean ambush. The pagan army under Marsilius is routed following God's miraculous lengthening of the day; God gives Charles strength in his duel with Baligant (3609ff), and He again gives a judgement favourable to the supporters of the Emperor in the judicial duel between Thierri and Pinabel.

Prophetic visions help Charles anticipate events and prepare for the future. Thus, his administration of justice is aided. He is forwarned of Ganelon's treason; and although he is unable to prevent the deaths of his twelve peers, he is able to bring justice to the authors behind the perfidy. He foresees the battle with Baligant and also the trial of Ganelon.[2] The divine origin of the Emperor's

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justice. His capitularies during this time bear evidence to this fact. H.W. Carless, op. cit. p. 264.

1 As He was to the historical Charles. See H.W. Davis, op. cit. p. 155f.

2 For a discussion of these visions see G. Paris, op. cit. p. 362.

visions is attested to and repeated in the Maligant episode (v. 2526-2529, 2568). Horrent comments:

> Le ciel s'intéresse à l'affaire de Roncevaux et ses interventions s'y manifestent de la même façon concrète (voir les apparitions angéliques, vv. 2452ss, 2526ss, 2568, 3609ss, 3993, auprès de Charlemagne, et vv. 2390ss, auprès de Roland).[1]

In this way, the Chanson de Roland teaches us that justice belongs to God and the faithful Christians.[2]

> Dieux ne vous faura pas, se en li vous fies.[3]

Other chansons de geste support this principle by attributing injustice to the pagans and false knights. For instance, Piccolet, the pagan magician who brought up Rainouart teaches his pupil:

> "Ne crois pas en Dieu, ni en la Vierge. Si tu rencontres un homme de bien, bats-le. Fais le mal partout, fais le mal toujours."[4]

Serchemband in Doon de Maïence promises to burn churches,

1 J. Horrent, op. cit. p. 246. For the role of Gabriel, see G. Paris, op. cit. p. 359. For the possible origin of Charlemagne's angels, see C. F. Keary, Outlines of Primitive Belief, N.Y., 1882, p. 485-491.

2 G. Cohen, op. cit. p. 131.

3 To quote another poem: Doon de Maïence, ed. A. Pey, (Anciens poètes de la France), Paris, 1859, v. 2652. For the equal justice of God to rich and poor alike in the chansons, see L. Gautier, op. cit. p. 132f.

4 Enfances Vivien, Bibl. Nat. fr. 1448, fo. 201, 202, translated by L. Gautier, op. cit. p. 88. Gautier quotes other examples of pagan injustice, p. 88, 89.

destroy convents, massacre monks, cut down crosses, and destroy all images of God and His saints:

> Ainsi le desloial Damnedieu renoia;
> A li meisme dist et Damnedieu jura
> Que janez hermitain en bois ne trouvera
> Que il ne meite mort, tantost que le verra.
> Ne moine, ne rendu il n'i espargnera.
> Toutes rendations a tous jours destruira;
> Et moustiers et yglises trestous combruisera,
> Crucefix et images ja n'i deportera.[1]

The Christians believe that God is on their side simply because they follow His teachings as set forth in the Bible. Similarly, Charlemagne, both in poetry and history tries to uphold the holy doctrine, and is consequently helped by God. Historically, Charles had read in Augustine's City of God:

> "What are kingdoms without justice but organized brigandage."[2]

He knew that happy kings are those who "reign justly".[3] Therefore he applied himself fervently to uphold the

1 Doon de Maïence, ed. quoted, lines 5106-5113. As bad as this behaviour is, that related in Gaydon, ed. Guessard and S. Luce (Anciens poètes de la France), Paris, 1862, is even more satanical.

2 F.R. Montgomery Hitchcock, St. Augustine's treatise on The City of God, p. 35.

3 Saint Augustine, The City of God, edited by R.V.G. Tasker, London and New York, 1947, p. 174.

reign of justice.[1]

The outstanding illustration of Charlemagne's administrative justice in the chansons de geste is the trial of Ganelon in the Chanson de Roland, which will be examined at this point. Its detailed presentation makes it a good subject for examination.[2] Horrent refers to it thus:

> L'épisode [de Ganelon] est minutieusement agencé et détaillé: les tortures populaires, les accusations, la plaidoirie, l'indulgence humaine, la rigueur du jugement de Dieu qui s'exprime par un duel judiciaire entre les champions des deux causes, enfin le châtiment du coupable et des garants de sa cause démoniaque. C'est le digne couronnement de toute l'oeuvre.[3]

1 Article 63 of his "Admonitio Generalis", c.789, reads: "Que ceux à qui a été donné le pouvoir de juger jugent justement, car il est écrit: 'Jugez justement.' (Levitique, XIX, 15), et 'Jugez selon la justice,' car 'Le jugement est de Dieu.' (Deutéronome, I, 16-17)." Boretius and Krause, op. cit. p. 55f.

2 Ganelon's trial is the oldest found in the chansons de geste. The duel between Thierri and Pinabel is similar to that between Bero and Sanilo recounted in the Latin epic poem by Ermoldus Nigellus, In Honorem Hludovici, written at the time of Louis Le Pieux, and known to the author of the Chanson de Roland. Judicial duels occupy an important place in the works of a later poet, Chrétien de Troyes, both in his early works, Erec and Cligès, as in the later Lancelot and Yvain, particularly the latter. G. Cohen, op. cit. p. 155.

3 J. Horrent, op. cit. p. 150.

Briefly, the episode may be outlined as follows. The trial is composed of three phases: the High Court, the Judicial Combat, and the Trial resumed, followed by the execution of the punishment. In the first phase, Charles summons his vassals or seniores (3750), some of whom are known for their knowledge of the law.[1] These are the judges. Ganelon replies to the charge against him; and the judges withdraw to deliberate. Among them are thirty of Ganelon's relatives one of whom is the redoubtable Pinabel. The majority of the judges evoke Charles' anger by proposing that Ganelon be freed. Hereupon, Thierri, a member of a minority group among them, offers to disprove the verdict through a duel. Pinabel, the representative of the majority group, accepts the challenge.

The two representatives of the opposing groups among the judges prepare for the judicial duel.[2]

1 "The administration of justice was regarded as the primary function of royalty." J.I. Dombert, op. cit. p. 65.

2 For an account of the legal aspects of the trial, see W. Tavernier, in Zeitschrift für Romanische Philologie, XXXVIII, Tübingen, 1914-1917, p. 435. A. Coulin, Der gerichtliche Zweikampf im Altfranzösischen Prozess und sein Übergang zum modernen Privatzweikampf, Berlin, 1906. A. Coulin, Verfall des Offiziellen und Entstehung des Privaten Zweikampfes in Frankreich, Breslau, 1909. C. Gebauer, Der Strafrechtliche Schutz wertloser Gegenstände, Breslau, 1893. P. Rajna, Le Origini dell'Epopea Francese, Firenze, 1884, p. 389-391. For the early

They surrender their fiefs to Charles, give up hostages, accept the rules of the duel, and attend holy mass.[1] In the ensuing combat, Thierri is victorious, thus proving his judgement right.[2]

The trial of Ganelon is resumed; and the court judges Ganelon guilty of treason, adding that Pinabel's thirty hostages are equally guilty, and must be hanged. Quartering is the punishment; and the Quisling dies the death of a renegade criminal.[3]

This sets the scene for the definition of justice[4] as expressed in the Chanson de Roland. The word may mean

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history of French criminal procedure, see J.-P.H.E.A. Esmein, Cours elémentaire d'Histoire du droit français, 15 éd., Paris, 1925, J.B. Brissaud, Manuel d'Histoire du droit français, Paris, 1898. For the judicial duel in general see H.C. Lea, Superstition and Force, Essays on the wager of law - the wager of battle, the ordeal, - torture, 4th ed., Philadelphia, 1892, p. 101-246. For its place in the Old French epics see article by Pfeffer, Zeitschrift für Romanische Philologie, IX, 1885, p. 1-74, and two articles by Baist in Romanische Forschungen, V, Erlangen, 1890, p. 436f., and Zeitschrift für Romanische Philologie, IX, p. 508f. W. Foerster critisises Tavernier's conclusions in Archiv für das Studium der neueren Sprachen und Literatur, CXXXV, Wiesbaden, (1881).

1 L. Gautier, op. cit. p. 42-43 in a discussion of this procedure is bitter about a guilty person taking part in such a holy procedure.

2 G. Cohen, Histoire de la Chevalerie en France au Moyen Age, Paris, 1949, p. 129-136.

3 Lines 3973-3974.

4 "Justiche veut sans faussoner Toute rien justement mener Et mesurer a juste mine." Tobler-Lommatzsch, op. cit. Band IV, (1960), col. 1904. Quoted from Rencl. C 49, 5ff.

"droit de justice/jurisdiction,"[1] "Gerechtigkeit,"[2] "Richtigkeit,"[3] and thus have a similar meaning to dreiture -- "Justice, right"[4]:

"Cunse(i)l(l)ez mei e dreit(ure) e honur" (2430),

prays Charles at Roncevaux, as he sees Marsilius escaping him. More commonly, however, justise means "punition/execution,"[5] and the verb justisier means "rendre de la justice, mortifier, punir."[6] When the noun is used in a phrase like Faire (la) j- de qqn, it means "put to death,"[7] "do execution on, punish."[8] Such a phrase occurs in the speech of Jurafaleu, son of Marsilius, as he offers to kill Ganelon, the ambassador:

"Livrez le mei, jo en ferai la justise" (498).

Again, it is used by Thierri to Pinabel during the duel, still with reference to Ganelon:

"De Guenelun justise ert faite tel" (3904).

1 F. Godefroy, op. cit. p. 296.

2 E. Gamillscheg, op. cit. p. 545.

3 W. Meyer-Lübke, op. cit. p. 377.

4 T.A. Jenkins, op. cit. p. 314.

5 F. Godefroy, op. cit. p. 296. C.f. Tobler-Lommatzsch, op. cit. Band IV. (1960), col. 1905-1907.

6 R.G. d'Hauterive, op. cit. p. 372.

7 T.A. Jenkins, op. cit. p. 337.

8 F. Whitehead, op. cit. p. 151.

He promises that justice will be done to him whom he has judged guilty - hence, he means that Ganelon will be punished or executed. The noun retains tones of the old justice-through-vengeance, after Ganelon has been executed:

... l'emperere ad faite sa justise (3988).

In this line Whitehead translates the phrase faire sa j. as "take vengeance."[1] This is the air of the whole trial -- Charles' vengeance upon Ganelon for the loss of his rear-guard. We may justify this interpretation by examining the beginning of the laisse that preceeds the last quotation:

... li empereres ad fait sa venjance (3975).

Both lines quoted refer to the punishment of Ganelon. Thus, in the mind of Turoldus, little difference exists in the meanings of justise and vengeance, when he thinks of the trial. We are forewarned of this justice or vengeance as far back as the arrival of the main body of the Saracen troops at Roncevaux, for by this time the treason has become evident:

La traïsun ne poet estre celee
Mult grant venjance en prendrat l'emperere (1458-1459).

Jenkins translates venjance as "act of revenge, punishment."[2]

1 F. Whitehead, op. cit. p. 151

2 T.A. Jenkins, op. cit. p. 376.

Others give "vengeance,"[1] "Rache."[2] Mention of vengeance occurs frequently in the Chanson de Roland,[3] and Eginhard himself makes reference to the act in his commentary on the defeat at Roncevaux:

"Neque hoc factum ad praesens vindicari poterat."[4]

In order to faire justise a Ganelon Charles convenes his Court at Aix, his capital, and:

Des ore cumencet le plait e les noveles
De Guenelun, ki traïsun ad faite (3747-3748).

Bédier translates these lines: "Alors commence le plaid, et voici ce qu'il advint de Ganelon, qui a trahi."[5] O'Hagan differs somewhat, and translates: "The plea and judgement then began / Of Ganelon, who the treason wrought."[6] Bertoni writes: "Quindi comincia il giudizio e il raconto (della morte) di Gano, che ha tradito."[7]

1 F. Whitehead, op. cit. p. 165.

2 E. Gamillscheg, op. cit. p. 882.

3 Lines 213, 1149, 1459, 1548, 2428.

4 Eginhard, Vita Karolis, Ch. IX. Quoted by F.T.A. Voigt, Roland-Orlando dans l'Epopée française et italienne, Leiden, 1938, p. 2. "There was no means at the time for taking revenge for this check." - J.I. Mombert, op. cit. p.159.

5 J. Bédier, op. cit. p. 311.

6 J. O'Hagan, The Song of Roland, Boston, 1928(?), p. 172.

7 G. Bertoni, op. cit. p. 413.

All three agree on the meaning of plait: "trial,"[1] "case,"[2] "Assemblée reunie pour déliberer, rendre la justice; Cause, procès, plainte en justice,"[3] "proces, jugement, querelle, discussion / cour, tribunal du roi ou d'un seigneur, assises,"[4] "Königshof, Gerichtshof."[5] The term has other meanings, however, which are to be found in the Chanson de Roland. It may be a "decision of a court of law, a verdict,"[6] -- as it is used in Blancandrin's comment at the conclusion of Marsilius' assembly to decide future actions:

Dist Blancandrins: "Mult bon plait en avriez" (88).[7]

The term noveles is more difficult to translate precisely. The difficulties are illustrated in the conflicting renderings of the term above. Jenkins translates it "speeches in reply (in court), v. 412, pleadings, v. 3747;"[8] and explains "these are evidently Charles' speeches in accusation,

1 T.A. Jenkins, op. cit. p. 355. F. Whitehead, op. cit. p. 156.

2 T.A. Jenkins, op. cit. p. 12.

3 R.G. d'Hauterive, op. cit. p. 466.

4 F. Godefroy, op. cit. p. 395.

5 E. Gamillscheg, op. cit. p. 699.

6 T.A. Jenkins, op. cit. p. 355.

7 In this line J. Bédier, op. cit. p. 11, translates the word "accord." The word has a similar use in line 226.

8 T.A. Jenkins, op. cit. p. 348.

v. 3750-3756, and Ganelon's two speeches in denial; or, in general, 'the speeches on both sides.'"[1] It may also be "réplique, chose extraordinaire."[2] Hence, the term would seem to refer to the speeches to the Court by the two parties concerned.

When the speeches have been made, the Franks announce "A conseil en iroms" (3779), obviously for the purpose of discussion. Besides having the meaning of "council,"[3] "Rat,"[4] "ratender Vorschlag / Überlegung, Plan, Entschluss, Beratung,"[5] "décision, délibération,"[6] the term conseil also has a secretive connotation in keeping with the functions of a legal council: "secret,"[7] "vertrauliches, heimliches Gespräch, Geheimnis."[8] When combined with the preposition a

1 T.A. Jenkins, op. cit. p. 261. Dante in Inferno, XXV, 38, has novella = "discorso." Du Cange, op. cit. IV, p. 649, quotes an instance of "nouvelles" = "débat."

2 F. Godefroy, op. cit. p. 354. He translates "novelerie" as "dispute, querelle," ibid.

3 T.A. Jenkins, op. cit. p. 304.

4 W. Meyer-Lübke, op. cit. p. 202, E. Gamillscheg, op. cit. p. 247.

5 Tobler-Lommatzsch, op. cit. II, col. 721.

6 F. Godefroy, op. cit. p. 98.

7 Ibid.

8 Tobler-Lommatzsch, op. cit. II, col. 721.

it means "privately, aside,"[1] "en secret,"[2] and is used with this sense when the Emperor leans over the wounded Naimes during the battle for Saragossa:

Li empereres li ad dit a cunseill (3454).

Bedier acknowledges the secretive meaning with the words "penché sur lui."[3]

The judges at Ganelon's trial are known as jugeors. Unlike modern judges, they make no attempt to arrive at the truth. They simply tell the law, that is, determine the sort of trial to be followed (oath, ordeal, trial by combat), to superintend the trial, and to name the penalty.[4] At Ganelon's trial, they consider the logic of Ganelon's plea and the validity of the proofs. The defendant is not questioned nor are witnesses called. The officer is explained as "a functionary who (1) determines what legal procedure is to be followed, and (2) oversees the procedure."[5]

As the judges prepare to withdraw for deliberation,

1 T.A. Jenkins, op. cit. p. 304.

2 F. Godefroy, op. cit. p. 98.

3 J. Bédier, op. cit. p. 287.

4 T.A. Jenkins, op. cit. p. 255. In Poema de Mío Cid (v. 3005), the judges are called "sabidores" - "knowers" of the law or custom of the country.

5 T.A. Jenkins, op. cit. p. 336.

Ganelon approaches his relative Pinabel, who is to defend his cause later. This fearsome warrior reassures the defendant that he will be well protected, wherewith:

Guenes li quens a ses piez se presente (3792).

The word presenter in this context gives some difficulty. In its most common usage, presenter means "to offer, present,"[1] "donner des présents, offrir en présent."[2] In the line quoted, however, its meaning is extended. Bédier renders the line: "Ganelon le comte s'incline à ses pieds,"[3] and O'Hagan offers: "Ganelon sank at his feet to kneel."[4] Gautier suggests: "(Ganelon) tombe à ses pieds,"[5] agreeing with Bertoni's rendition "Il conte Gano si umilia e ringrazia a suoi piedi."[6] Jenkins, however, disagrees with these translations. He sees a juristic formula in this line, that corresponds to "adsto tuis pedibus, eo pedibus ejus = I accept with thanks."[7] He quotes a similar phrase in support of his theory from Chretien de Troyes' Yvain, v. 1862, 2107: "venir au pie de qqn" meaning to thank.[8] In considering the

1 T.A. Jenkins, op. cit. p. 357. See lines 388, 3851.

2 R.G. d'Hauterive, op. cit. p. 479.

3 J. Bédier, op. cit. p. 315.

4 J. O'Hagan, op. cit. p. 174.

5 T.A. Jenkins, op. cit. p. 264, note.

6 G. Bertoni, op. cit. p. 415.

7 T.A. Jenkins, op.cit. p. 264.

8 T.A. Jenkins, op. cit. p. 264.

haughty character of Ganelon, it must be admitted that falling at the feet of his champion hardly seems to be in keeping with his personality.[1] Some sign of appreciation or thanks obviously was made, but the extent of the action is debatable.

When the opinion of the court has been pronounced in Ganelon's favour, the king shows his disagreement with angry words (3814). The result is that Thierri vocally condemns Ganelon:

"Vers vos s'en est parjurez e malmis" (3830).

Bedier translates the line "C'est envers vous qu'il s'est parjuré et qu'il a forfait."[2] This is his reason for challenging the court's decision.[3] Parjurer means to "deny with a false oath; ref. to perjure oneself,"[4] and the past participle parjurez means "parjuré."[5] The meaning here seems

1 Cf. v. 219-229.

2 J. Bedier, op. cit. p. 317. Cf. R.M. Ruggieri, Il Processo di Gano nella "Chanson de Roland", Firenze, 1936, p. 101.

3 The Scandinavian Karlamagnus Saga ok kappa Hans, an account of Roland's defeat at Roncevaux, sometimes considered anterior to the Chanson de Roland, but with little proof, says nothing of the judicial duel, during the trial of Ganelon. The convincing eloquence of Naimes suffices to dispel any doubts in the minds of the judges as to Ganelon's guilt.

4 T.A. Jenkins, op. cit. p. 352.

5 F. Godefroy, op. cit. p. 375.

to be that Thierri is recalling Ganelon's original oath of allegiance which, as a feudal knight and vassal, he has sworn to his king. This oath has been broken as a result of the betrayal of the Frankish troops. Malmetre has a similar connotation: "to spoil, ruin; ref. to damage oneself seriously, compromise oneself,"[1] "to ruin; ref. go to the bad, foreswear oneself."[2] For breaking this oath, Ganelon is judged guilty by the young Thierri.

As the wager of battle is accepted by Pinabel, further judicial terms are encountered.

Dist li emper(er)es: "Bons pleges en demant" (3846). -- "Je demande de bons garants."[3] Pleges means "hostages,"[4] "pledge, surety,"[5] "garant, garanti, caution,"[6] "Pfand, Sicherheit,"[7] and refers to human sureties or hostages, of which thirty are supplied by the supporters of Ganelon's cause.[8]

1 T.A. Jenkins, op. cit. p. 341.

2 F. Whitehead, op. cit. p. 152.

3 J. Bédier, op. cit. p. 319.

4 T.A. Jenkins, op. cit. p. 355

5 F. Whitehead, op. cit. p. 156.

6 F. Godefroy, op. cit. p. 396.

7 E. Gamillscheg, op. cit. p. 701.

8 For further discussion of this term see articles by O. Behagel, Zeitschrift für Romanische Philologie, I, Halle, 1877, p. 468; J. Burtsch, Z.f.R.P., II, Halle, 1877, p.309; W. Franck, Zeitschrift für vergleichende Sprachforschung auf dem Gebiet der indogermanischen Sprachen, XXXVII, Göttingen, 1889, p. 134.

With the surrender of these men

Ço dist li reis: "Jol vos recreit e lais" (3848).[1]

Recreit means "set at liberty (after hostages are given),"[2] "set at liberty (a party to a trial or battle, after he has given gage and pledge that he will appear to fight on the appointed day)."[3] Similarly, the noun recreance means "einstweilige Überlassung einer Pfründe,"[4] "possession de la chose contentieuse qui est donnée pendant le procès à celle des parties qui a le droit le plus apparent, et qui prouve qu'elle en a joui paisiblement pendant la dernière année / jouissance accordée provisoirement des fruits d'un benéfice, en attendant la décision définitive / provision judiciaire / mise en liberté sous caution."[5]

From the meaning of recreit, that of lais is conjectured. Its usual infinitive meaning of "nachlassen, loslassen"[6] is close enough to that of recreire for the assumption to be made that both verbs refer to the giving up of Ganelon to his relatives upon the handing over of thirty hostages. In fact, the verb is used with this meaning in Marie de France's

1 Taken from Jenkins' edition.

2 T.A. Jenkins, op. cit. p. 361.

3 F. Whitehead, op. cit. p. 159.

4 E. Gamillscheg, op. cit. p. 747.

5 F. Godefroy, op. cit. p. 438.

6 E. Gamillscheg, op. cit. p. 548.

Lanval (v, 404).[1] Thus, in the Chanson de Roland both recreire and laisser are used with the judicial meaning of to hand over a prisoner before a court to his pledges.[2]

Connected with the action of handing over hostages we find the verb afiancier. Speaking of Charlemagne to Marsilius, Blancandrin says:

> "S'en volt ostages, e vos l'en envïez,
> U dis u vint pur lui afïancer" (40-41).

The topic of conversation is the pagan king's apostasy. Afiancer means "to reassure, provide with a security,"[3] "to provide with a pledge,"[4] "mettre en confiance,"[5] "garantir une chose (à quelqu'un) sur sa foi, jurer / v. ref. mettre sa confiance / engager sa foi, donner sa parole / donner confiance,"[6] "jem. versichern, sein Wort geben."[7]

1 "Li reis lur (to the companions of Lanval, who are his pledges) dit: E jol vus lais, 'I turn him over to your care.'" T.A. Jenkins, op. cit. p. 268.

2 However, Mortier changes line 3848, which in his edition reads: "Ço dist li reis: 'E jol vos recr(e)rai.'" Page 108.

3 T.A. Jenkins, op. cit. p. 286.

4 F. Whitehead, op. cit. p. 131.

5 J. Bédier, op. cit. p. 7.

6 F. Godefroy, op. cit. p. 11. Cf. "affier: jmd. trauen," E. Gamillscheg, op. cit. p. 14. "donner sa parole," D. McMillan, op. cit. p. 156, found in Chanson de Guillaume, v. 1037, 1588.

7 Tobler-Lommatzsch, op. cit. I, col. 182.

The preliminaries of the single combat are performed by Thierri and Pinabel under the supervision of Ogier of Denmark:

Ben sunt malez, par jugement des altres (3855).

-- "Au jugement de tous, ils se sont bien provoqués selon les règles."[1] The word malet developed from the Norse "mal - a suit or indictment,"[2] with the result that maler means "to accuse by legal process, indict,"[3] "summon before a court; (in an appeal of felony) summon to do battle (?),"[4] "assigner, faire régler le sort judiciaire par le mall germanique."[5] Once again, this is an example of a term whose meaning is somewhat vague. Jenkins suggests that the word might mean "to arrange (and announce?) the terms of battle"[6] which seems to fit the context, since Ogier is in charge of the final arrangements for the duel. Perhaps d'Hauterive's rendering will satisfy the circumstances: "malé: assigné en justice. Appelé par jugement en combat singulier."[7]

1 J. Bédier, op. cit. p. 321.

2 T.A. Jenkins, op. cit. p. 341.

3 Ibid.

4 F. Whitehead, op. cit. p. 152.

5 F. Godefroy, op. cit. p. 317.

6 T.A. Jenkins, op. cit. p. 269.

7 R.G. d'Hauterive,op. cit. p. 395.

With Thierri's victory, Ganelon is judged guilty and punishment takes place. Discipline is the term applied to "chastisement, punishment,"[1] "justice,"[2] "Zucht, Gehorsam."[3] Roland uses the term early in the poem as the realization grows that the rearguard is doomed:

> "Quant en cest camp vendrat Carles, mi sire,
> De Sarrazins verrat tel discipline" (1928-1929).

Originally, the term meant "military discipline,"[4] but the word developed to mean "punishment," and in the quotation above means "slaughter."[5]

The guilt of Ganelon is equally applied to his supporters who are consequently hanged by order of the court and at Charles' command:

> "Va, sis pent tuz a l'arbre de mal fust!" (3953).

The arbre de mal fust is a "gallows-tree,"[6] "Galgen."[7] More literally the term means "accursed gallows-tree,"[8] "l'arbre au bois maudit."[9]

1 T.A. Jenkins, op. cit. p. 313 and F. Whitehead, op. cit. p. 141.

2 J. Bédier, op. cit. p. 163.

3 E. Gamillscheg, op. cit. p. 316.

4 Du Cange, op. cit. II, p. 871, quotes examples of its military use.

5 T.A. Jenkins, op. cit. p. 145. He suggests that the word in line 1929 is a clerical term.

6 F. Whitehead, op. cit. p. 147; T.A. Jenkins, op. cit. p. 290; J. O'Hagan, op. cit. p. 180.

7 Tobler-Lommatzsch, op. cit. I, col. 497.

8 T.A. Jenkins, op. cit. p. 275, notes that "arbor infelix"

From the foregoing discussion we may draw two main conclusions: Justice in the Chanson de Roland consists mainly of revenge, a primitive form of justice often referred to as the lex talionis or Mosaic law[1] -- a practice which the historical Charlemagne vainly tried to stamp out, but which he fully supports according to Turoldus. Secondly, it is obvious that a precise knowledge of the judicial procedure related in the Chanson de Roland is not established among the various commentators upon the mechanics of Ganelon's trial. Judicial procedure has changed and with it the significance of judicial terms, with the result that Turoldus' revengeful justice is not fully understood today by the casual reader.

- gallows, is as old as Livy and Cicero, while Deschamps has "estre pendu a male hart": "to be hanged with evil cord."

9 J. Bédier, op. cit. p. 329.

1 Leviticus, XXIV, 17-21.

CHAPTER VI

TRAISUN

In the foregoing chapter, Ganelon's punishment was discussed in the light of Charlemagne's revenge for the deaths of the Twelve Peers and some twenty thousand men. The death of the traitor satisfies both the private wishes of the Emperor and the needs of the Franks as a group for protection against treachery.[1] In both its private and public aspects, treason is considered one of the most serious of crimes and carries the strictest of punishments.[2] Recorded instances of it in Western Europe date back to the second century, when Tacitus, describing German customs of that time, records public punishments pronounced in assembly of the tribe for treason or for failure of military duty.[3]

1 The public aspect of the punishment reveals the extent of the social organization of the Franks, while the vengeful aspect indicates the power of the private individual in a still loosely organized group. R. Saleilles, The Individualization of Punishment, translated from the second French edition by R.S. Jastrow, Boston, 1913, p.23.

2 "Treachery is the highest crime known to society, and traitors by the law of every country are liable to the severest punishment." Encyclopedia Americana, vol.2, p.22. C.F. Funk and Wagnall's Dictionary, cit. p.906.

3 Tacitus, De Morib. German., XII.

This is the crime for which Ganelon is punished, and which the Emperor will not tolerate.

> "Ultre, culvert! Charles n'est mie fol, (Chanson
> Ne traïsun unkes amer ne volt." (..de Roland 1207-1208).

Traïsun in this sentence is translated "treason, act of treachery",[1] "trahison",[2] "livraison, action d'emmener, trahison"[3] "Verrat",[4] "Überlieferung, Übergabe"[5].

To the extent so far quoted, traïsun had the same meaning in the eleventh and twelfth centuries as the modern term: Treason: attempt by force of arms to overthrow the government or to resist its laws by levying war;[6] the act of betraying, betrayal of trust undertaken by or reposed in anyone; breach of faith, treacherous action, treachery.[7] In the

1 T.A. Jenkins, op.cit. p.373.

2 J. Bédier, op.cit. p.17.

3 F. Godefroy, op.cit. p.513.

4 E. Gamillscheg, op.cit. p.856. W. Meyer-Lübke, op.cit. p.733. See article by W. Meyer-Lübke in Grammatik der romanischen Sprachen, vol.2, Leipzig, 1890, p.597.

5 E. Gamillscheg, op.cit. p.856.

6 Webster's Dictionary, cit. p.1944.

7 J.H. Murray, Oxford Dictionary, vol.X, pt.I, p.304.

eleventh and twelfth centuries, the concept of treason lay somewhere between these two, having the width of the second definition, but including the first. The first action consists roughly of lèse majesty, a notion of Roman origin,[1] while the second definition has a strongly germanic background. Lèse majesty consists of machinations against the king and ultimately against the state in general, rested upon the principle of the veneration of an almost divine authority assumed by such self-styled god-kings as Alexander the Great.[2] The basic note of reverence here is far removed from the idea of reciprocal fidelity which seems to have formed the groundwork of German relationships between the poetic rendition of Charlemagne and his feudal barons.

To the Germanic group murder, rape, insult were probably all considered treason, a crime general in concept, private as an act, and social in significance. As the social structure developed,

1 Columbia Encyclopedia, cit. p.1123. Funk and Wagnall's Dictionary, cit. p.1420, Webster's Dictionary, p.1038.

2 F.C. Riedel, op.cit. p.19.

the concept of treason widened to include offences against an authority which, while retaining features of its originally private nature, was definitely in the process of becoming a public authority. The jurisdiction of the state gradually increased until elemental crimes against individuals which had been offences dangerous to society in its earlier stages, became no longer so significant in the pattern of corporate state life. This is the state of development we find illustrated by Ganelon's condemnation in the Chanson de Roland. Hence, in the period between Tacitus and Charlemagne, the concept of treason came to include "Hochverrat" (the German term for high treason) as its most important form.[1] This was especially true when the public authority became centralized in one individual, the king, who finally required a special oath of fidelity from his subjects in order to maintain a closer control of crime.[2] While undoubtedly Hochverrat had assimilated some characteristics of the Roman lèse majesty (crimes against the emperor himself), its basic feature,

1 H. Brunner, Deutsche Rechtsgeschichte, Band II, München, 1928, p.894f.

2 See "serment" in chapter entitled CHRESTIEN, page 97.

like that of the Germanic notion of treason in general, remained the breaking of a contract binding upon both parties. The sanctity of the bond between overlord and vassal survived the political upheavals of the post-Carolingian era and remained predominant throughout the feudal period. Real property, the fief, had now in a sense, become the foundation of the feudal society, giving tangible significance to an already contractual relationship. This relationship was now newly reinterpreted and instituted through homage and fealty when,

> ...the seigneur transferred his right by solemn act; he put the vassal in possession of the fief by giving him a bit of straw, or a stick, or a lance or a glove, which symbolized the object transferred.[1]

If the vassal attacked his seignor or perpetrated some equally serious breach of contract, he lost his fief. The agreement was reciprocal; the overlord was subject to forfeiture if he failed to observe the terms of the feudal agreement:

> The seigneur should not attack nor insult his vassal, nor seduce his wife or daughter. If he did, the vassal could release himself from his seigneur, and at the same time keep the fief. The rupture was marked by an act which was contrary to the investiture; the

1 C. Seignobos, The Feudal Regime, New York, 1902, p.40.

vassal threw down the straw or the glove:
this was the defy [breaking of faith].[1]

Terms like "traditio" and "proditio" were reserved for application to treason against the duke from whom the vassal may have held land directly or indirectly, depending upon his status in the feudal hierarchy. Hence, Ganelon, holding a fief from Charles, was considered guilty of treason in his complicity with Marsilius, since the mere accidental dropping of the feudal glove (333), did not constitute a formal defy.

At his trial, Ganelon considers himself innocent of traïsun. A brief examination of his case will throw light upon the concept of treason expressed by Turoldus. Both the poet and Charlemagne consider Ganelon guilty quite early in the poem; the first time his name is mentioned is at the Emperor's council before Saragossa:

Guenes i vint, ki la traïsun fist (178).[2]

1 Ibid. p.42. For "défi féodal" see, Etablissements de Saint Louis, c.1273, 176, examined by P.M. Viollet, Les Sources des Etablissements de Saint Louis, mémoire lu devant l'Académie des Inscriptions et Belles Lettres dans les séances des 2 février, 2,9, et 23 mars, 1877, Paris, 1877.

2 For a striking similarity in presentation see Luke, VI,16: "...and Judas Iscariot, which also was the traitor."

Thus, from the start, his name is linked with treason.[1] This may be a poetic device to impress the reader with the fact that this man is the villain of the piece. At Roncevaux, when the enemy is first espied by Olivier, the knight immediately suspects a betrayal -- more than this, he actually names the traitor:

Guenes le sout, li fel, li traïtur (1024).

When Charles hears the oliphant and fears for the safety of his rearguard, Ganelon is once again blamed,

Li reis fait prendre le cunte Guenelun (1816);

and the order is given,

"Ben le me guarde, si cume tel felon!" (1819).

This is Charles' accusation at Ganelon's trial:

"Si me tolit.XX. milie de mes Franceis
E mun nevold, que ja mais ne verriez,
E Oliver, li proz e li curteis;
Les .XII. pers ad traït por aveir." (3753-3756).

Hence, the charge is that as a member of the Emperor's army, he betrayed other soldiers for

1 The mention is made even earlier in the V4 manuscript:

Desor comença li traiment de Gayne
E de Rollan li nef de Çarle el Mayne. (lines 6 and 7)

quoted from Les Textes de la Chanson de Roland, edités par Raoul Mortier, (La Version de Vénise IV), Paris, 1940.

wealth. That he had broken his feudal vow is attested to by Thierri:

> "Guenes est fels d'iço qu'il le [service] traït" (3029).

His argument is that Ganelon is guilty since he broke his vow.

The word fel(on) appears frequently in the Chanson de Roland[1] and means "cruel, treacherous, wicked, criminal, scoundrel, villain"[2] "one guilty of a breach of feudal faith, (by extension) infamous person, villain, wicked"[3] "terrible, cruel, méchant, violent/qui est infidèle à une convention/s.m. méchant",[4] "treubrüchig, grausam, heftig, böse"[5] schurkisch, tückisch, grausam/schlimm, böse, gefährlich,...le felon der Böse (Teufel)".[6] These definitions show that fel(on) can be used both adjectivally and as a noun. The crime of a fel(on) is felonie. This term may mean "cruelty, wickedness,

1 lines 69,910,1471,213,844,1024,1216,1924,2062,3559.

2 T.A. Jenkins, op.cit. p.325.

3 F. Whitehead, op.cit. p.146.

4 F. Godefroy, op.cit. p.227.

5 E. Gamillscheg, op.cit. p.247.

6 Tobler-Lommatzsch, op.cit., Band III, col.1694. See Albert Herzog's article in Bausteine zur Romanischen Philologie, Halle, 1905, p.488.

crime",[1] "treachery, pl. wicked vices".[2]

We see the connection in Thierri's avowed intention to punish Ganelon:

> "...sun cors metre (en peine ed en essil,)
> Si cume fel ki felonie fist." (3832-3833)[3].

Again, it appears in the poet's comment upon Abisme, a black and cruel Saracen, whom Turpin kills at Roncevaux.

> Plus fel de lui n'out en sa [Marsilius] cumpagnie.
> Te(t)ches ad males e mult granz felonies
> (1471-1472).

These lines are translated, "Il n'y a plus felon dans sa troupe. Il est plein de vices et de grands crimes"[4] and "il n'en a pas de plus felon dans sa compagnie./Il a des vices et de fort grandes traîtrises."[5] The same noun is applied to the actions of the Saracen gods who allow Marsilius to

1 T.A. Jenkins, op.cit. p.325.

2 F. Whitehead, op.cit. p.146. In modern times, "a crime is a felony which either by common law or by statute is punishable by death and forfeiture of property." Encyclopedia Britannica, vol.9, page 152D; similarly Columbia Encyclopedia, p.664, and Funk and Wagnall's Dictionary, p.906.

3 Bracketed portion added from Jenkins' edition. A. Pauphilet, Poètes et Romanciers du Moyen Age, Mayenne, 1943, p.115 sees in this line "la netteté avec laquelle le poète pose et resout ici une question de droit."

4 J. Bédier, op.cit. p.125.

5 A. Pauphilet, op.cit. p.56.

be defeated. Bramimonde laments:

> "Li nostre deu i unt fait felonie,
> Ki en bataille oi matin le faillirent."(2600-2601).

The essential characteristic of the felon is that he conceals his intentions. In the Chanson de Roland, we have a rare example of a word being explained: Ganelon gives the essence of the word fel in his address to Charlemagne at his trial:

> ..."Fel sei se jol [his intention] ceil!" (3757).

He would be felon if he concealed his motives, which, of course, he claims he did not (3775). Hence felonie is a crime whose intention is concealed. Tobler-Lommatzsch's definition is, therefore, incomplete: "Treulosigkeit, böse Gesinnung, Bosheit, Erbosung, Missetat."[1]

To Thierri, Ganelon's treason consists of a breaking of his feudal vow. To Charlemagne, it is somewhat different: the vassal causes the death of the Twelve Peers and of twenty thousand of his men under the motivations of greed (3752-3756). This second concept contains the first: Ganelon both breaks his vow and brings death to his

1 Tobler-Lommatzsch, op.cit. Band III, col.1698.

rearguard.[1] This is the treason contained in the definition "to seek the life of one's liege lord, or that of his son,"[2] since Roland was the son of Charlemagne's sister. The same idea is contained in a definition of treason published in England some two centuries following the composition of the Chanson de Roland:

> Tresun est en chescun damage qe hom se fet a escient ou procure de fere a cely a qi hom se fet ami. Et poet estre treysoun graunt et petit.[3]

Again:

> Graunt tresoun est a compasser nostre mort, ou de contrefere nostre monee ou de retoundre.[4]

There was a close link between Normandy, the frequently supposed home of the Chanson de Roland, and England at the time of the Crusades. It is therefore not inconceivable that the two regions held similar concepts of treason. The situations mentioned in the last two citations may be applied

1 This is the meaning of the modern term "treason": "The act of betraying; betrayal of the trust undertaken by or reposed in anyone; breach of faith, treacherous action, treachery." J. Murray, Oxford Dictionary, Vol.X, pt.I, p.304.

2 T.A. Jenkins, op.cit. p.30.

3 1292, Britton, I, IX. para.1.

4 1292, Britton, I, IX. para.2.

to Ganelon's behaviour, since he befriended Roland -- being his father-in-law (v.753,762) -- and disherited the kingdom by causing so many brave knights to be killed.

Ganelon's concept of treason is different again from those of Charles and Thierri. To him, treason consists of a hate or an action whose intention is concealed. His plotting is against Roland, his son-in-law, not Roland, nephew of the king, commander of the rearguard. No faith or oath has been formerly established between the two men; they are of equal rank -- oaths are usually sworn between vassal and lord, common man and noble. Their cooperation is not bound by any direct feudal tie; but nevertheless, such agreement is usually understood and respected for reasons of mutual protection and public peace. Viollet supports Ganelon's plea by explaining that it is treason when one strikes a man so that he cannot defend himself. It is this element of surprise and secrecy which furnishes the true meaning of the word treason, according to the writer, who further says that in various Latin documents of the Middle Ages, the word "tradere" has no other sense.[1] Ganelon is further supported

1 P.M. Viollet, op.cit. I, 76.

by the following thirteenth century listing of treasonable acts:

> ...theft from an overlord, truce-breaking, bearing false testimony with criminal intent, wounding <u>without warning</u>,...[1]

In the most complete definition of treason given by any of the French custumals before 1300,[2] the element of secrecy and surprise is conspicuous and is partly explained by the words "mortally" and "hatred", which suggest not only the very tone and spirit of the private vendetta, but by their context suggest a widening of the concept of treason. The definition is by the jurist and poet Philippe de Rémi, Sire de Beaumanoir, who writes:

> And it is treason when one does not show semblance of hatred and hates mortally, so that because of the hatred one kills or causes to be killed, or strikes, or causes to be struck even to the extent of injury to him whom one hates treasonably. No murder is without treason, but treason may be indeed without murder in many cases, for murder is not without the death of a man, but it is indeed treason to strike or wound during a truce or pledge or in ambush, or to bear false testimony in order to have a man put to death, or dispossess him, to cause him to be banished, to make him hated of his

1 Philippe de Rémi, <u>Coustumes de Beauvoisis</u>, M.DC.XC. pub. A. Salmon, Paris, 1899-1900, para.992.

2 Evaluation of F. C. Riedel, op.cit. p.22.

liege lord, or in many other similar cases.[1] While Ganelon's case may be supported by the first paragraph, he is to be condemned on the count of the second, since he bore false testimony following the embassy (692-697), in order to bring about Roland's death. Marsilius, of course is triply condemned; he murdered ambassadors (207-209), conducted an ambush, and bore false testimony (603-608).

It is Ganelon's contention that he did not conceal his intentions. His acceptance of the embassy to Marsilius is made reluctantly as he expresses his evil feelings towards the Twelve Peers:

> "Sire," dist Guenes, "ço ad fait Rollant!
> Ne l'amerai a trestut mun vivant,
> Ne Oliver, por ço qu'il est si cumpainz;
> Li duze per, por (ço) qu'il l'aiment tant,
> Desfi les ci, sire, vostre veiant." (322-326).

"Sire" dit Ganelon, "c'est Roland qui a tout fait! Je ne l'aimerai de ma vie, ni Olivier, parce qu'il est son compagnon. Les douze pairs, parce qu'ils

1 Philippe de Rémi, op.cit. (written about 1283), para 826-827. Translation given by F.C. Riedel, op.cit. p.23.

l'aiment tant, je les défie, sire, ici, sous votre regard!"[1] This defiance is quite apparent and is made before the king. He even mentions the traditional word desfier, "to bid defiance to, to challenge",[2] "defy (i.e. declare private war upon, either by an overt announcement or by some act of hostility that puts the two parties on a footing of enmity)."[3] With words as blunt as these, "Gage of defiance to all I throw",[4] Ganelon should have made abundantly clear his hostility. However, it is the very bluntness that robs the words of their significance, for Charles accuses him of succumbing to his anger:

Ço dist li reis: "Trop avez maltalent."(327).[5]

Thus Charles is not entirely free of blame for Ganelon's subsequent actions: the defy was given,

1 J. Bédier, op.cit. p.29.

2 T.A. Jenkins, op.cit. p.312.

3 F. Whitehead, op.cit. p.140.

4 J. O'Hagan, op.cit. p.62.

5 But Ganelon has already told Roland: "...mais avant que j'apaise ce grand courroux où tu me vois j'aurai joué quelque jeu de ma façon." -- translation by J. Bédier, op.cit. (v.300-301) p.27.

even though in anger.[1] Again, Charles is to be criticized when, on Ganelon's return from the embassy, he makes no inquiry into the reason why Ganelon displays so many riches, obviously received from the hand of Marsilius (620-623), which Charles, moreover, notices. (3756).[2] Since omens carried so much weight in the Middle Ages, Charles should have seen a similarity in the dropping of the ambassador's glove and the throwing down of a glove in a formal defy.[3] However, in Ganelon's estimation, there is no treason in his act towards Roland, which claim is supported by the majority of the judges at the trial -- although, in this case, their opinions might have been affected by threats from Pinabel and his supporters.

There is a consistency in Ganelon's hatred for Roland. He shows his enmity at the ambassadorial assembly and again at his trial, where he stresses the reciprocal nature of the feeling (3771).[4] In

1 T.A. Jenkins, op.cit. p.32. Note.

2 See J. Bédier's comment on this "delicate" situation, Les Légendes Epiques, III, Paris, 1921, pp.422f. and 427.

3 See Einhard, XXXII, for a parallel.

4 His hatred for Roland is frequently expressed: lines 286f,301,306,322,381f,396f,473f,544f,557f, 575f,581f,596f,1170-1184,3758-3760,3771-3778.

his defence, he recounts what he has publicly said before:

> "Jo desfiai Rollant le poigneor
> E Oliver e tuiz lur cumpaignun;
> Carles l'oïd e si nobilie baron." (3775-3777),

thus claiming vengeance and not treason (3778). This motive is supported by his attitude towards Charles, whom he has always treated with respect and praise:

> "Serveie le [Charles] par feid e par amur."(3770).[1]

All three nobles, Charles, Thierri and Ganelon, see treason as an offence against the social group. When they apply the concept to Ganelon's particular action, the latter's disagreement in interpretation results from a difference in perspective. He sees the plot against Roland as a personal affair carried out between two equals; and as such, it was a simple affair of vengeance. To Charles and Thierri, however, the harm against the state is of greater significance than the private quarrel. For this reason, Ganelon is condemned for treason. Pauphilet sums up the affair thus:

> Ganelon prétend qu'il ne s'agit que d'une querelle particulière entre lui et Roland.

1 See also his respectful allusions to his king during his embassy to Marsilius, particularly lines 529-536.

> Les guerres privées étaient tenues pour légitimes, il n'y a donc pas là de trahison. L'argument est si plausible, qu'autour du roi beaucoup l'acceptent. Mais la thèse du poète, qu'il fait exposer par Thierry, est toute autre, et fort intéressante. Il ne discute pas la querelle particulière; Mais Roland était en service commandé, et le crime (la "felonie") est précisément de l'avoir livré aux ennemis en cette circonstance. Si bien que le conflit n'est plus entre Roland et Ganelon, mais entre le roi et un vassal traître.[1]

Before his treachery, Ganelon is respected to the degree accorded to his fellow barons, but when he transgresses, he dies the death of ignominy:

> ...tant qu'il est fidèle, il brille par ses grandes qualités au premier rang des héros; mais quand il s'est laissé dominer par la jalousie et la vengeance jusqu'à s'écarter de l'union et du but commun, il devient un traître que la poésie maudit, et finit par trouver son châtiment dans un supplice ignominieux."[2]

Thus the traitor is not a person set aside; he may be any vassal of a king's company. That Ganelon is arrested as soon as the king suspects an ambush is not surprising when one considers the knight's previous behaviour before the emperor. It might also be that Charles knew of Ganelon's lineage:

> Par Guenelun grant peine m'est creüe.
> En vieille geste est mis en escriture.
> Si anceisur encriesme felun furent

1 A. Pauphilet, op.cit. p.115.

2 G. Paris, op.cit. p.17.

> E felunie ourent tuit en custume.
> El' Capitolie a Rome en firent une:
> Le vieil Cesar ocirent il par murdre.[1]

In consideration of these lines, one might conclude that the epic poets saw treason as a genetic factor handed down from father to son, which, nevertheless, had no exterior physical manifestation, nor showed up in a knight's valour.

While Ganelon is the outstanding traitor in the chansons de geste, he is not the only one. Rainfroi and Girard de Fratte are two other noteworthy criminals. The former is described:

> ...un ambitieux criminel, qui ose menacer la vie sacrée de Charlemagne et est puni par l'intervention divine, les ruses de Basin et la fermeté de l'empereur.[2]

The latter personifies

> ...l'orgueil indiscipliné, l'obstination et inflexibilité de l'individu: quand il cède à l'ascendant de Charlemagne et se joint aux autres guerriers, il se couvre de gloire et est exalté par la poésie; quand il se révolte, elle l'abandonne et finit par le flétrir en lui faisant envahir la France à l'aide des Sarrasins dont il a embrassé la loi.[3]

This personage appears in Aspremont, a poem which

1 Chanson de Roland, texte rétabli d'après les manuscrits de Vénise (IV) et de Paris, ed. L. Gautier, Paris, c.1880, c.1850f.

2 G. Paris, op.cit. p.17.

3 Ibid.

existed in the eleventh century,[1] and made himself a traitor through pride and the power of his followers. He was powerful enough to fight his lord for many years. Girard de Vienne, another traitor, appears in the Karlamagnussaga where he resists Charles for seven years in the besieged city of Vienne, Provence. Insolence was his first act of treachery.[2]

Philippe de Mousket, a thirteenth century writer, gives us further insight into the medieval connotation attached to the term traïtour:

> Les felons et les traïtours...
> Qui France ont grevee souvent,
> Guenles li fel et si parent,
> Fromont li vious et Aloris,
> Hardres, Sansons et Amaugris,
> Et li autres traïtres faus;
> Et par leur parage et par aus
> Ont maint roi de France greve.[3]

1 "Girard de Fratte ou de Fraitte, transformé plus tard en Girard d'Euphrate." G. Paris, op.cit. p.297.

2 He also appears in Girard de Vienne, a poem which relates his treachery. Other poems recounting the deeds of other rebellious knights are Ogier de Danemark, Girard de Roussillon, Doon de Nanteuil, Renaud de Montauban.

3 Philippe de Mousket, Chronique, v.8454f, in Chroniques de France (Les grandes), selon qu'elles sont conservées en l'église de Saint-Denis en France, P. Paris, Paris, 1836-1838.

From this, it might be concluded that the writer regards treason as a sort of hereditary malady, hence he groups into a single family, the faulse geste, all those traitors found in the chansons de geste.[1] This same theory is held by the fourteenth century author of the Doon de Mayence, who writes:

> Bien seivent li plusor, n'en suis pas en doutanche,
> Que il n'eut que.III. gestes u reaume de Franche:
> Si fu la premeraine de Pepin et de l'ange,
> L'autre apres de Garin de Monglane la franche,
> Et la tierche si fu de Doon de Maience.[2]

The general characteristic of this geste, or family, is that their pride and the number of their supporters grow to the extent whereby they are able to challenge Charlemagne's authority. Thus their treachery constitutes a breaking of the feudal vow

1 The parents of Ganelon are executed together with the traitor. This action also suggests a belief in the hereditary nature of treason. In ancient Greece, "the posterity of a traitor received the treatment of outlaws." Catholic Encyclopedia, vol.12, p.566. "Die Sühnung der Übeltat obliegt dem beleidigten Familienverband; für die Übeltat haftet der Familienverband des Beleidigers." Paulys Real-Encyclopädie, II,7, p.163. Mention is also made of a similar situation in Homeric Greece. See also F.G. Eichhoff, Über die Blutrache bei den Griechen, Duisburg, 1872.

2 Doon de Mayence, ed. M.A. Pey, Paris, 1859, v.3f. For a listing and commentary upon the various poems about the rebellious and treacherous barons, see G. Paris, op.cit. page 297f.

of allegiance to their overlord.[1]

There are various gestes referred to in the Chanson de Roland. The term means a "family",[2] "a family celebrated in song or story",[3] "Race, famille fournissant la matière de récits épiques".[4] Aliscans refers to the Saracens as la geste Mahon (v.2801). La geste Francorum is used in Roland (1443,3262) to refer to "Les Annales des Francs",[5] an extended meaning of the Frankish race.[6] It may also refer to families in general, as used in line 3181:

> En plusurs gestes de lui sunt granz honurs. (Chanson de Roland).

meaning "in many celebrated families (there) are great possessions (which came) from him [Charles]."[7]

1 For a link between these legends and history, see A. Kleinclausz, Charlemagne, Paris, 1934,p.372.

2 T.A. Jenkins, op.cit. p.330.

3 F. Whitehead op.cit. p.148.

4 R.G. d'Hauterive, op.cit. p.321.

5 J. Bédier, op.cit. p.271.

6 Numerous histories of the Franks existed during the Middle Ages, referred to as Gesta Francorum. E.g. Historia Hierosolymitana.

7 T.A. Jenkins, op.cit. p.221. There is extensive disagreement with this translation: Bédier, op.cit. p.265, gives "Maint annales disent de lui de grandes louanges," Pauphilet, op.cit. p.99 has "maintes gestes rapportent de lui grands exploits";

and also in the words of Roland:

"Deus me cunfunde, se la geste en desment!"(788). "Dieu me confonde, si je demens mon lignage![1] From the use of this term we may conclude that the epic poets saw great importance in blood relationships and their effect upon heredity. They believed that the Saracens were of a similar nature, being linked by a common blood; Charles and Roland are blood relations and show a similar bravery. Ganelon and his parents are all considered traitors as a result of their blood ties.[2]

Among the Saracens are Estorganz and Estamariz, who are described as

...felun, traitur suduiant (942).

Bertoni, op.cit. p.376, has "in molti racconti si leggono di lui molte lodi."

1 J. Bédier, op.cit. p.69. See Dante's Inferno, XXXI, 17, for the same usage: "la santa gesta" --- the blessed band, referring to the twelve Peers of Charlemagne lost at Roncevaux.

2 Their treacherous instinct is brought out in Gaydon. Chanson de geste publ. pour la première fois d'après les trois manuscrits de Paris, par F. Guessard et S. Luce, Paris, 1862, where they try to administer poisoned apples to Charles through Gaydon, his favorite. See pages 14, 15, 22.

The final term suduiant[1] is well applicable to traïtur. It means "deceptive, false, lying",[2] "false, knavish",[3] "séducteur, trompeur, traître",[4] and "traîtres prouves"[5] in the plural. As proven traitors, these members of the Saracen Twelve deserve death and find it respectively at the hands of Aton (1297) and Berengier (1304). Death is the customary punishment applied to the proven traitor;[6] and this is the fate of Ganelon:

> Devers un' ewe ki est en mi un camp
> Guenes est turnet a perdiciun grant (3968-3969).

"Verso un torrente che è in mezzo a un campo. Gano è venuto a grande perdizione"[7] Perdiciun means

1 A development from the infinitive seduire: "verführen...wegführen...heimlich entfernen". E. Gamillscheg, op.cit. p.793.

2 T.A. Jenkins, op.cit. p.370.

3 F. Whitehead, op.cit. p.162.

4 R. G. d'Hauterive, op.cit. p.540.

5 J. Bédier, op.cit. p.83.

6 "Treason...has always been punishable by death." Encyclopedia Britannica, cit. vol. 3, p.803.

7 G. Bertoni, op.cit. p.426.

"destruction, annihilation"[1], "perdition"[2], "supplice"[3], "perte/calamité"[4], "Verderben"[5]. The verb (sei)perdre has the meaning "to be lost, be destroyed"[6]. It is uttered by Roland as he tries to break Durendal:

> "Quant jo mei perd, de vos n'en ai mais cure." (2305).

"Seeing that my life is over, my duty as your custodian also comes to an end![7] "Puisque je meurs..."[8], "Poichè io muoio..."[9]. Thus the terms may have the meaning of loss of (or to lose) one's life.[10]

1 T.A. Jenkins, op.cit. p.354.

2 J. Bédier, op.cit. p.331.

3 A. Pauphilet, op.cit. p.119.

4 F. Godefroy, op.cit. p.386.

5 E. Gamillscheg, op.cit. p.685.

6 T.A. Jenkins, op.cit. p.354.

7 T.A. Jenkins, op.cit. p.167. See comment by Bertoni, op.cit., pages 494-495 concerning this famous line.

8 J. Bédier, op.cit. p.193.

9 G. Bertoni, op.cit. p.319.

10 C.f. line 1408.

Hanging is the punishment to be exacted upon Ganelon. The listener is forewarned of this fate twice (1409,3831). The punishment is carried out on the supporters of Ganelon, but not upon the arch-criminal himself. Hanging is the customary punishment for a "traitor or criminal."[1] It is particularly common in military service, "such punishment being considered very disgraceful and suited to the offence."[2] Hanging is defined: "To fasten up or suspend on a cross or gibbet, as a mode of capital punishment. Formerly to crucify, now to put to death by suspension by the neck."[3] In view of this definition, the rendering of pendre by "to hang"[4], does not constitute a sufficiently close definition, since, to the

1 J. Murray, Oxford Dictionary, vol.8, part 1, p.30. This authority also states that hanging in Europe is of Germanic origin, (Tacitus, Germ. XII). Biblical references to this form of punishment exist, also. See Esther, II and VII.

2 Catholic Encyclopedia, vol.XII, p.568.

3 J. Murray, Oxford Dictionary, cit. vol.V, part 1, p.71.

4 T.A. Jenkins, op.cit. p.353.

modern reader, it has the sense of suspension by the neck. To crucify would appear to be a closer translation.

> Crucifixion, under Roman law, was usually reserved for slaves and the worst kind of evil doers...The criminal...nailed or bound to the cross. The latter was the more painful method, as the sufferer was left to die of hunger. Instances are recorded of persons who survived nine days.[1]

The case of Ganelon and his supporters would satisfy the above conditions; the conclusion might then be drawn that the form of hanging applied to the parents was crucifixion.

Ganelon's fate, however, is more brutal. From the moment of his arrest, he is ill-treated, being beaten and chained by kitchen-boys (1816f). Later, at Aix, he again appears, still in iron chains (3735). Before his trial, he is attached to a post, bound with leather thongs and

> Tres ben le batent a fuz e a jamelz:
> N'ad deservit que altre ben i ait (3739-3740)

Gautier[2] suggests that this is the torture which

1 Catholic Encyclopedia, cit. vol.XII, p.567.

2 L. Gautier, Les Epopées Françaises, Etude sur les origines et l'histoire de la littérature nationale, vol.II, Paris, 1865-8, p.235.

is a regular part of the trial,[1] but Jenkins disagrees.[2] However, "especially cruel methods are used"[3] in his execution. Quartering is administered,[4] with the result that

...Guenes moerget par merveillus ahan (3963).

Ganelon dies "with extraordinary suffering"[5]: this is the ultimate vengeance promised earlier (1149, 1459). Quartering is not specifically mentioned in any of the Germanic codes[6], but it is referred to elsewhere as a shameful mode of execution.[7]

1 W. Davis, op.cit. p.166 also notes torture as a usual part of criminal proceedings. Various types of tortures are listed on pages 166 to 172.

2 T.A. Jenkins, op.cit. p.258.

3 Columbia Encyclopedia, cit. p.2004.

4 "Drawing and quartering, part of the penalty anciently ordained...for treason." Encyclopedia Britannica, cit. vol.7, p.637, also vol.22, p.313. As late as the reign of George III in England, those convicted of high treason were hanged, drawn and quartered. Catholic Encyclopedia, vol.XII, p.568.

5 T.A. Jenkins, op.cit. p.275.

6 L. Gautier, Les Epopées Françaises, vol.II, Paris, 1866, p.239.

7 See Troie, v.3629; Du Cange, op.cit. vol.V, p.551; Girart de Rossillon, ed. P. Meyer, Paris, 1884, para. 520. Meyer notes at this passage that a miniature of the Bodleian manuscript 264 (14th cent.) shows in great detail a quartering by horses; In Aeneas,

These are the punishments exacted for traïsun, a term with a broad meaning in the eleventh and twelfth centuries.[1] Besides its more common meaning of betrayal of one's king and country, it is also applied to Marsilius, an enemy, who kills the ambassadors Basan and Basilie.

Li reis Marsilie i fist mult que traïtre (201). In Aliscans, mention is made of a pagan king, Esmere d'Odïerne, son of Tiebaut and Guibourc (later Guillaume's wife), accusing Guillaume of having disinherited him and of committing the worst cruelties by seizing Orange:

> "Sire parastre", dist li rois Esmerés,
> "por quoi m'as tu a tort desireté
> Et fors d'Orange par traïson gité
> Et pris ma mere trestot outre mon gré (Aliscans,
> Et mes II freres a grant tort decolés?"1050-1054).

To Esmere, these acts are considered traïsun.

VIII, 642-645, the traitor Mettus is torn limb from limb by chariots driven apart. More general works mentioning this form of punishment are J. Fearing, Capital Punishment, Minneapolis, 1909; A.M. Earle, Curious Punishments in Bygone Days, Chicago, 1896, Marquess Beccaria, Crime and Punishment, Albany, 1872.

1 To Pfeffer it means "tradimento, infedeltà, falsità, inganno." R.M. Ruggieri, op.cit. p.100.

Finally, in Garin le Loherain,[1] the story is related of a great war between the men of Lorraine and of Bordeaux during the course of which Begon of the former region kills Isore of the latter. The victor tears the entrails from the corpse, hurling them into the face of Guillaume de Montclin saying "Take the heart of your friend; you can salt and roast it! And remember! Garin has never been perjured! Garin has never betrayed his king!"[2] This is the punishment for a treacherous baron whose enmity for a fellow baron resembles that of Ganelon for Roland, without the element of ambush.

To complicate finally the question of treason, the crime may be committed without an act taking place:

> The essence of treason from earliest time has been the intention not the act. No harm need result from the intent, or even from the acts which were treasonable. Yet punishment was imposed.[3]

1 Dating from the last third of the 12th century, Jean de Flagy being one of the two co-authors.

2 Fr. Funck-Brentano, The Middle Ages, London, 1930, p.59.

3 A. Levitt, Origin of the Doctrine of Mens Rea, New York, (c.) 1930, p.22.

This definition may be used to account for any of the quoted instances of treason in the chansons de geste. On the other hand, it serves to broaden the already wide scope of the term.

To sum up, the fundamental concept of treason in the oldest chansons de geste is the act of secret attack, or the act of injury, which need not be purely physical in nature.[1] The general concept of the term is closely allied with the causes which set in motion the law of vengeance. This concept which exists as a customary law is supplemented from the beginning of feudalism by a purely feudal notion of treason. In this resulting combined form, treason is encountered in the chansons de geste.

1 That is, it may weaken the power of the state, as did Ganelon's act in the Chanson de Roland. Contrast this with the treason related in the Pseudo-Turpin: "La trahison n'est plus qu'une mesquine affaire privée qui se règle en hâte sur le terrain même; ce n'est plus un crime d'état, un crime contre l'Empire, qui met en péril toute la chrétienté." J. Horrent, op.cit. p.152.

POST SCRIPTUM

The purpose of this paper has been to collect and examine available evidence on a number of terms connected in various ways with the notion of justice and rightfulness and its general antithesis. These terms have been more or less complete in themselves; and any conclusions to be drawn in their discussion were made at the time of their presentation. To mention these conclusions again would simply constitute a repetition. Hence, the reader is referred to the word list appended below and to the chapter endings for the conclusions concerned.

In order to bring together the various streams of this enquiry, a number of more general conclusions which manifest themselves may be drawn. The most obvious conclusion is that French institutions of the eleventh and twelfth centuries seen in the chansons de geste reveal a merging of two cultures: the Germanic or Frankish and the Roman. The Germanic element has, since the time of Gaston Paris, been recognised in the warlike animating spirit of the chansons examined. The tramp of battle, the method of fighting, the mode of arranging an army are all considered intrinsically Germanic, as are the violent forms of love and hatred, and the desire for revenge. Superimposed upon these attitudes are more recent Roman

influences: Christianity, systematized justice, the modified notion of Lèse Majesty, and the superiority of public weal over private interest. These two elements may be characterized as the violent and emotional instinct (the so-called Germanic) and the tempering and restraining influence of more mature codified reasoning (the late Roman). Straddling these dual currents is the notion of feudalism, a still later development which tried to combine the two preceding cultures in order to produce a form that could find practical application in the particular milieu existing in Western Europe during the Middle Ages. This feudal development is only vaguely expressed in the earliest chansons de geste, revealing it to be in an early stage of its growth. But institutions like vassaldom and the symbol of the defy are to be found, thus revealing feudal existence.

While the assignment of a date to any of the chansons de geste has not been the object of this study, a consideration of the comparative emphases of Germanic, Roman and feudal elements found in the <u>Chanson de Roland</u>, make it clear that the poem, as we read it, was not composed immediately after the Battle of "Roncevaux" (778), but rather at the time of the later French Crusades into Spain (1095 onwards). The slightly democratic attitude of Rainouart towards the peasants hints at the fact that the

Guillaume de Guillaume and *Aliscans* appeared at a time when the first religious fervor against paganism had moderated somewhat -- after the composition of the *Chanson de Roland*.

The powerful religious delineations of the chansons give an indication of one of the purposes behind the composition of such epics. They constitute a call to arms, an appeal to all brave men and true to take part in the Crusades against the hated infidel who was occupying Christian territory. Such a purpose is reflected in words examined in this study. The majority of the terms have a strong religious implication which constantly reminds one of the hatred of the faithful Christian knights for those who oppose the aims of God's Kingdom on earth, materialized in France, and personified in Charlemagne and his faithful followers.

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